The Philanthropist.

PUBLISHED BY THE EXECUTIVE COMMITTEE OF THE OHIO STATE ANTI-SLAVERY SOCIETY.

GAMALIEL BAILEY, Jr., Editor. | We are verily guilty concerning our brother * * * * * * therefore is this distress come upon us. | SAMUEL A. ALLEY, Printer.

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THE PHILANTHROPIST,

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COMMUNICATIONS.

A FINE CHANCE FOR COLORED PEOPLE —LETTER OF S. WARNER.

Our readers were undoubtedly much interested with the letters of Mr. Warner, published in No. 18 of the Philanthropist. The following letter will show that he has commenced operations. We commend it, together with the communication of A. Wattles, to the special attention of our colored friends, and of all who feel an interest in their welfare.—ED. PHIL.

Mercer Co., April 23d, 1838.

MR. WATTLES:

Dear Sir,—After I wrote you, my business required more of my personal attention than I expected, which delayed my journey to the West, so that I did not arrive here till Saturday evening, the 14th inst. My only inquiry now is, what can I do to promote the interests of the colored settlement in this place. The extent of the settlement, at present, would not enable me to put all the means I have into the engine. However, I am unwilling to abandon so important an enterprise, and have therefore thought best to get into some employment for the season by which I could sustain my family another year. The colored people here are so afraid of a Yankee that I cannot do any thing with them. Therefore, I wish to know of you how long you will give me the improvement of a piece of your land, say 20, 30 or 40 acres, as I may be able to clear. If my son comes out, I think we shall be able to get in 40 acres of wheat, by cutting the small and deadening the large timber. Should your terms justify me, I will commence immediately and do what I can; and, should the anti-slavery societies of Portage, Geauga and Ashtabula counties have the same view of the importance of this settlement that I have, there will be a steam-mill in operation here before next September.

In another year it will be necessary to have the factory started. It can be abundantly supplied with wood as soon as it starts. The call for cloth is great through a large section of country. I am sure that I could find a location much more promising for me; but I am desirous to spend a season to satisfy myself whether the enterprize can be sustained or not. At present I cannot see any insurmountable difficulties, if we but act in unison. I shall remain in this section until I am satisfied that I can do no good. Should my family think best to move here in the fall, we should wish to occupy your house in the woods till another can be provided, or we think best to abandon the object. We have eight children and must have a good school for them. My own wisdom is but foolishness, and therefore I can only do from day to day, such things as appear to me to be duty, believing that God will direct, as he will not forsake so important a cause as the sufferings of the oppressed.

I shall wait an answer.

In bonds of affection, yours,
S. WARNER.

In answer to this letter, I have informed brother Warner that I will give him a lease of 40 acres for ten years, and also a deed of two acres. Three colored men in this city whose lands corner with mine, have each agreed to give two acres. So that he may have a lot of eight acres. One of them also will lease a lot of 40 acres for ten years to him. These lots are located on the cross-roads. I hope from what goes before, that the colored friends will see the necessity for moving into the settlement as soon as possible; for if we should fail of securing the advantages which brother Warner now holds out, it will be many a long year before another such opportunity offers. It is emphatically a God-send to us. When and where was the like ever heard of before? A man moving his whole manufacturing establishment for the purpose of aiding the colored people in their efforts at elevation! What would be the effect on our colored population if in every settlement were carried on by them some profitable branch of manufacturing? I leave the answer with you my brethren. You have entered upon a new era. You must do some things this year, that you have never done before. You are ascending an inclined plane. Send your sons and your daughters to learn some manufacturing art, connected with a school, and they will never be dependent on the whims and caprices of their superiors for support. Move out into the country, buy land, seek those places where you can do best; or, to use a common saying—help yourselves, and your friends will like you the better—help yourselves by merit and industry, seek to become honorable by becoming useful—change the occupations of a menial for one of a more respectable character. No matter if it is not so lucrative, do it for your children, for your people, for your good name in the nation. Your character can never be changed, till you change it yourselves. Change of character supposes a change of habit, change of thought, change of feeling, and change of conduct. Those who are willing to do any thing, may send word to me at the anti-slavery office. It will soon be known whether your character for enterprise has been rightly judged of, by an observing community. An opportunity like the present has never before occurred for testing it. Time cannot be wasted, individuals must let us know immediately what they will do. Brother Warner as well as myself feel that we must be acting some where. If the people of this settlement are not willing to come forward and sustain the enterprise, we must go to some other place where they are willing. I wish all, who own land in the settlement, would write me soon, at Cincinnati, and let me know how much they will do, and also when they will move out. Others who are interested, are requested to make donations. I have 160 acres of land which I purchased for the express purpose of establishing a manual labor school for colored boys, (in particular,) but not to exclude whites. I am now ready to give it to any society that will sustain a republican manual labor school upon it. If the friends of the colored people, or the colored people themselves, will aid in erecting suitable buildings, a school of the character specified will be opened and continued for ever, if practicable. The manufactory and the farm will go hand in hand with the school, if they can be once started. *What say you, friends?*

A. WATTLES.

SILK.

Connecticut gives a bounty on every one hundred mulberry trees cultivated for five years, and fifty cents on every pound of silk reeled on an improved reel.

Massachusetts gives a bounty of ten cents per lb. on cocoons, fifty cents per pound on reeled silk, and fifty cents on throwsting.

Vermont gives ten cents on every pound of cocoons raised.

Maine gives a bounty of five cents on every pound of cocoons, and fifty cents on every pound of silk reeled.

The Legislature of Maryland have passed an act giving a bounty of one dollar on every one hundred Chinese mulberry trees five years old, planted for the purpose of feeding the silk worm. They also give a bounty of ten cents on every pound of cocoons, and fifty cents for every pound of raw silk reeled.

The Legislature of New York have passed a bill granting a bounty of ten cents on every pound of cocoons, and fifty cents on every pound f reeled silk.

In the year ending 30th September, 1836, the silk imported for home consumption amounted to $22,136,954.

This can be supplied by domestic manufacture as easily as the cotton market has been. W.

Augustus Wattles addressed the A. S. Soc. at Red Oak, on Wednesday last. At the close of the meeting, committees were appointed to take up a subscription for the O. A. S. S., and also to collect money to defray the expenses of the prosecution of the kidnappers of Eliza Jane Johnson.

Rev. John Rankin was appointed a delegate to the yearly meeting. Mr. Rankin will read an essay on the varieties of the human race, or "The Causes of Color." A.

Warren Co., O., March 7, 1838.

Dear Sir,—On the 1st of June last, the Anti-Slavery Society of Dick's Creek and Monro, was organized by the election of officers, a Constitution of the usual kind kind having been previously adopted by the members. Dr. Joshua Stevens, of Monroe, was chosen Prest.; W. W. Caldwell, Rec. Sec.; and A. McFarlane, Cor. Sec.

The following resolutions were adopted unanimously.

1. *Resolved*, That slavery is a great evil, moral and political, and that the only just, safe and effectual remedy is immediate emancipation.

2. *Resolved*, That the project of southern slaveholders to annex Texas to the United States, to secure the ascendency to slave-holding in the councils of the nation, ought to meet with the disapprobation and opposition of every friend to the liberties and welfare of this country.

3. *Resolved*, That the religion which sustains attempts to justify slavery, contradicts and dishonors both the law and the gospel, infringes upon the authority of God, and the rights of men, gives encouragement to the exercise of the worst passions of human nature, and to the perpetuation of the greatest enormities which spring from them.

4. *Resolved*, That the late proceedings in Alton, Il., terminating in the murder of the lamented Lovejoy, discover in a strong but true light the spirit by which slave-holders and their allies are actuated, and show that they will not hesitate at the commission of any crime in support of their "peculiar institution."

5. *Resolved*, That the freedom of the North cannot consist with the slavery of the South; and that if the slave-holding influence should preponderate in the Union, we have reason to apprehend that the right of petition, and the liberty of speech and of the press will be utterly prostrated.

6. *Resolved*, That it is the imperative and indispensable duty of every man to bear his decided testimony against the wicked system of American slavery, and to use every scriptural and constitutional means to effect its entire abolition.

At a subsequent meeting, the Society resolved to become auxiliary to the Ohio A. S. Society, and directed that an account of the formation and proceedings of this Society be communicated to the Philanthropist.

Yours respectfully,
A. McFARLANE. *Cor. Sec.*

We entertain the hope that our Society will increase in strength and efficiency; and be able to exert a salutary influence upon public sentiment in this region. We are confident that the truth and the right, however overborne for a time by obstinate prejudice and sordid avarice, will finally prevail. We anticipate the formation of a popular sentiment, which slavery with all its brazen impudence will not be able to confront. Even now the prevalent judgment of christendom is strongly condemnatory of the wicked and shameful practice of American slavery. Slavery has succeeded in surrounding itself with an atmosphere so polluted and pestilential, that liberty sickens and dies within its limits. But as we recede from the poisoned region, we find that the atmosphere looses its density and noxious qualities, until at length freedom can live and breathe, and justice and religion can utter in indignant tones their reprobation of the unchristian and barbarous custom of slave-holding. A. McF.

ANTI-SLAVERY.

From the Friend of Man.

CONSTITUTIONAL ARGUMENT,

On the subject of Slavery, delivered before the New York State Convention, at an Anniversary Meeting of the New York State Anti-Slavery Society, 20th September, 1837. By ALVAN STEWART, Esq., of Utica.

The argument appearing to the Convention to open a new and most highly important view, on the subject of slavery, the Convention, in consonance with the wishes of Mr. Stewart, without expressing an opinion as to the correctness of the argument, ordered the same to be referred to the meeting of the Parent Society, at its anniversary in May next, for further consideration, and that in the mean time, the Executive Committee cause the same to be published, so that it might pass through the ordeal of consideration and discussion, before the same should be permanently adopted, if found correct.

THE ARGUMENT.

Congress, by the power conferred on it by the Constitution, possesses the entire and absolute right to abolish slavery in every state and territory in the Union. This could be effected by the enactment of a declaration law, in pursuance of, and in conformity to the 5th Article of the amendments to the Constitution of the United States.—The latter part of this Article is almost an extract, in words and spirit, from the Magna Charta—the great bill of England's liberties.

The latter part of the 5th article of the amendments to the Constitution of the United States says, Nor shall *any person* "be deprived of life, liberty, or property, without due process of law."

Many other essential rights are secured in this same article, to the citizen, as, that no person shall be subject, for the same offence, to be twice put in jeopardy of life or limb, and that no man shall be compelled to be a witness against himself, in a criminal case; but the most essential is the one which forbids "*any person being deprived of his life, liberty, or property, without due process of law.*"

That Congress should possess power to abolish slavery in this nation, without limitation as to *place*, may be startling to some, as a new proposition, especially as it has been admitted in the constitution of the American Anti-Slavery Society, that Congress did not possess the power over the slave states.

It is humbly submitted, that this admission was made by the Parent Anti-Slavery Society, in its constitution, and by many constitutions of local societies since, as imitators of the parent, without bestowing upon the subject the amount of investigation which so solemn a subject demanded. That constitution, though framed by some of the best hands and hearts in this land, yet it must be remembered was made in the infancy of this mighty reformation, when the great *questions* which have since been so ably discussed, had hardly been grazed by the inquirers after truth.

But after all, unless slavery has corrupted our language, so far as to make it "palter in a double sense, and while it keeps the word of promise to the ear, it is meant to break it to the hope;" unless it has changed the primitive meaning, and eat out the very heart and soul of words, employed and understood as having certain and fixed ideas, which the words represented from the days of King John in the Vale of Runney Meade, to the day of the final adoption of the Federal Constitution; then can we have no doubt that every human being in this Union, black or white, bond or free, has invaluable blessings secured to him by the 5th article of the amendments to the Constitution. The sturdy barons and wise men of England, compelled a volatile King to subscribe Magna Charta 500 years ago, containing the words of our article; and from that day to this, every Englishman and American has claimed the invaluable principle, "*that no person should be deprived of his life, liberty, or property, without due process of law,*" as a part of his inheritance and birthright.

The first inquiry we shall institute, is to know what is meant by the words, "without due process of law." For it is important to know what that "due process of law" can be, which has power to deprive a man of his life, liberty, or property. And on this subject, is it believed no lawyer in this country or England, who is worthy of the appellation, will deny that the true and only meaning of the phrase, "*due process of law*," is an indictment or presentment by a grand jury, of not less than twelve, nor more than twenty-three men; and a judgment pronounced on the finding of that jury, by a court.

Judge Story, in his commentaries upon the Constitution of the United States, page 663, speaking of this sentence of this article of the constitution, says: "that the other part of the clause is but an enlargement of the language of Magna Charta—'nec super eum ibimus, nec super eum mittimus, nisi per legale judicium parium suorum vel per legem terra'—*neither will we pass upon him, or condemn him, but by the lawful judgment of his peers, or by the law of the land.* Lord Coke says that these latter words, 'per legem terræ,' (by the law of the land,) mean by "due process of law; "that is, without due presentment or indictment, and being brought in to answer thereto, 'by due process of law.' So that this clause, in effect, affirms the right of trial according to process and proceedings of common law."

In fact, this constitutional provision is nothing but one of those invaluable principles, priceless in character, drawn from the vast quarry of the common law. The framers of the Constitution, fearing and knowing that a different rule or principle prevailed in some of the states, in relation to certain *unfortunate persons*, known under the name of *slaves*, determined to incorporate this branch of Magna Charta into the Constitution, as a fundamental law of the confederacy, believing that 500 years of eventful experience proved its soundness, as a chief corner-stone in the edifice of constitutional liberty. Here it will remain for ever canonized, not as a new principle, but as an old one in a new place.

It must not be forgotten, that before the Revolution which separated us from the British empire, no provision was made, between the Colonies of this country, for the surrender of fugitive slaves. Neither was there anything said on the subject of slaves, in the articles of confederation, which lasted twelve years, as to the restoration of fugitives. Therefore, so far as the northern states were concerned, in the adoption of the constitution, they assumed a new and peculiar position in relation to slavery, before the world. The North having agreed to share equal legislative power with the South, in relation to the District of Columbia, and the territories where slaves might be; and having obligated themselves, though free states, to surrender fugitive slaves; being thus under the double obligation of acting in disobedience to the plain and unequivocal dictates of humanity, in agreeing to surrender the fugitive slave, or rather to kidnap him for the benefit of the slave-holder; and if this slave should raise the standard of insurrection, in defence of the most ennobling and holy of human principles (the love of liberty,) the man of the North further agreed to smother all respect for the nobility of the act, and, in defiance of his conscience, go and pour *his blood* out in the suppression of that insurrection: all of these engagements on the part of the man of the North, gave him full power to insist on what forms should be gone through with, to constitute and make the man a slave, whom he was bound to kidnap, and restore to his master, and kill on the field of battle for the crime of loving and asserting his liberty. The men of the free states being made partakers in the crime of slavery, out of courtesy, might firmly, as they truly did, insist that the Constitution should contain the only *mould* in which slaves should be *run*, and if they were not made in that *mould*, with all its forms, they could not exist.

That constitutional mould was in these words: "*Nor shall any person be deprived of his life, liberty, or property, without due process of law.*"

We must bring to the mind, in carrying out the true theory of the Federal Constitution, at its formation, that the whole sovereign people of the thirteen states, in legal contemplation, were present, acting in one vast assemblege or body, where every thing was understood and discussed, bearing on the great subject under consideration.

In theory, there was one vast assembly of the American people in the convention, constituting the primary elements of society, in its original sovereignty, agreeing upon the principles for the federal government and union; and it would require no great stretch of the imagination, to suppose that after providing for the general powers of government, in peace and war, in relation to foreign nations, the states, and Indian tribes, that they should have been particularly anxious to erect a strong citadel for the protection of man, as man, from the tyranny of his fellow-beings.

We may suppose that from one part of the Union, a speaker should rise and say, that in the section of country from which he came, owing to the late troublous times of the revolutionary war, in which committees of safety had from necessity assumed supreme power over individuals, that even the same practice was continued, without any of the legal forms known and observed by the common law, for the protection of life or the conviction of the guilty; and that men had been deprived of life by *lynch law*, "*without due process of law;*" and he therefore claimed that no man, henceforth, should be deprived of life, except by due process of law; while another arises from the North, and states, that slavery will never be assumed as a part of the burden and crime of the North, unless it is identified by great constitutional ear-marks, by infallible tests, so that the fugitive may be known, and all who are claimed as such, may be distinguished as those who have been deprived of liberty. What I mean, says the speaker, is, that each man, woman, and child, claimed as slaves, before they shall be deprived of liberty, shall always have an opportunity, as ample as the benignity of the common law, to vindicate their freedom, so far as the forms of a trial are concerned; and they shall not be deprived of their liberty and become slaves, except by the indictment of a grand jury, and trial by a petit jury, and the judgment of a court thereon, that the person is a slave, and the property of A. And on this trial, let the person claimed to be a slave, have the benefit of counsel, appointed by the court, if he is unable to employ one; let him plead he is not a slave, and let the burden of proof lie upon him who claims to be proprietor of the supposed slave. Let the person claimed as a slave have the benefit of compulsory process, to compel the attendance of those by whom his freedom may be maintained.

But if the petit jury agree on oath, unanimously, that he is a slave, let the judgment of the court be pronounced, that he is deprived of his liberty, "by *due process of law*," and let there be a record made up, stating these facts as an enduring memorial, and filed with the clerk of the court, as a perpetual testimonial that this *person* has been *deprived of* his liberty according to the constitution. The man of the South rises in convention, and says, that many persons are claimed as slaves who are not, and others who are, who think they are not. This mode of trial will settle the question, so that it may not be a matter of unending dispute, and we of the South are willing to enter the confederacy on these terms, that "*no person shall be deprived of life, liberty, or property, without due process of law.*"

Thus the great and difficult question was arranged, in the formation of the Constitution. Let it not be said that the master had, antecedent to the Constitution, *vested rights* of property in the slave; for, granting that proposition, still the master, for the *greater* security from his slaves' insurrections and flights, agreed upon a *new criterion*, upon a new definition of slavery, and upon a *slavery* which was first *proven* by the course of a legal trial, of the most important character.

Another important question arises, which is, if the Constitution established the terms on which slavery might exist; and if those terms have not been complied with, is it not proof positive, at least a constitutional presumption, that there are no persons in this land, who could legally be proved to be slaves, provided the great constitutional *formula* is complied with, as this was the only evidence of slavery recognized by the Constitution, and even *that* has not been complied with in a single case in 48 years. The indictment, trial, and judgment against a person as a slave, is the commission by which the master was authorized to exercise those powers over the slave, supposed to belong to him as master. Witout this commission, this consititional authority, growing out of an indictment, trial, and judgment against the slave, the act of the master, in exercising dominion over the slave, is as unconstitutional as for a man, without commission, election, or appointment, to assume the duties of sheriff, and hang a man, untried, but suspected of murder. It would be murder in the assumed sheriff, because he had no commission, no matter how guilty the individual who was executed. The inquiry is, had the sheriff a commission—had he authority to hang?

The only difference between a freeman and a slave, under the Constitution, was that the freeman was deprived of his liberty by due process of law, for crime, and the slave was deprived of his liberty by due process of law, simply because he was a slave; and the Constitution gave him an opportunity, once in his life, to vindicate his freedom. Indictment, trial, and judgment, are the modes by which, under the Constitution, the white man and black man both lose their liberty, and by no other process can they constitutionally be deprived of it —one for *crime*, the other from *misfortune*.

Again in the 3d clause in the 2d section of the 4th article of the Constitution, which relates in part to fugitive slaves, the people have in their sovereign capacity, legislated on this subject, saying that "no person held to service or labor, in one state under the laws thereof, escaping into another, shall in consequence of any laws or regulations therein, be discharged from such service, or labor, but shall be delivered up on claim of the party to whom such service, or labor, may be due."

When the man of South Carolina, pursuing his fugitive slave to New Hampshire, comes and demands his slave to be delivered up; what will the granite state, say to the slave-holder of the Palmetto? I acknowledge I am bound to make out an order and deliver up this fugitive to you, as a part of the grand compact of the Constitution, provided this fugitive has been deprived of his "liberty by due process of law." For that is the grand principle on which the men of the free states consented that slavery might exist, and only in those cases, where the person was deprived of his liberty, by due process of law, by indictment, trial, and judgment against him. Now, says the magistrate, I know slavery, in no form or shape under the Constitution, except where the slave has lost his liberty, by due process of law, and that was the tenure by which slaves were to be holden in the U. S. of America, and by no other, and so the North and the South, East and West have agreed in the Constitution, and if you can produce me a record, or the exemplification of a record, showing to me, that a court of competent jurisdiction, proceeding upon the principles of the common law, by the indictment or presentment of a grand jury of not less than 12 or more than 23 men who have found that indictment, or made that presentment on oath, and that 12 men on their oath as a jury have said on the trial of the fugitive, that he was a slave, and a court has pronounced judgment thereon, then I will make an order for you to take the person as your fugitive slave, otherwise not. No matter what evidence you produce to show that you own the slave, if your title be unbroken through five generations of men, and if you have a bill of sale from him who claimed the fugitive's mother and grrndmother, that will not answer.

The word "person" is used for the fugitive slave, in the 3d clause of the 2nd section of the 4th article—"No person held to service" &c., The word person here means a slave, and in other parts of the Constitution the word "persons" is used for slaves, as in the 3d clause of the 2nd section of the first article, speaking of those who shall constitute the basis of representation in Congress, after including the whole number of free persons and those bound to labor excluding Indians not taxed, and "three fifths of all other persons"—by which slaves are intended, in the last part of the sentence. The slave is designated under the appellation of "*persons*" in fixing the basis of representation, also the word "*persons*" in employed to denote the the fugitive slave in the 2d section of the 4th article, and the words in the 5th article of amendments of the Constitution, "nor shall any person be deprived of life, liberty or property, without due process of law," must necesarily include slaves. For if it did not, after having previously twice used the word "person" where it meant slaves, if it did not intend to embrace the slave, there would have been an exception in relation to the slave. The words of the Constitution have no exception like the following, "nor shall any person (except slaves) be deprived of their life, liberty and property without due process of law" "Any person," is equivalent to every body.

The word "person" when used under the terms "three fifths of all other persons" is used to designate slaves exclusively, in the sense it is there used, in the last article.

"No person held to service or labor in one state under the laws thereof escaping &c. 2d section 4th article.

In this article of the Constitution the words.—"No person" means, not only slaves, but with apprentices bound to serve their masters for a limited time and the sons or daughters of a parent, being minors, and a man's wife, escaping from the person, to whom their service is due, to another state may be delivered up as well as the slave &c.—That the words "no person" here, may mean the fugitive slave, the bound free apprentice, the wife, the son daughter, it is believed none will dispute.

"Every person," in the 5th article of the amendments of the Constitution covers the whole ground of our humanity, and means evere body, without exception, or in other words, it is as plain as though it had said" no human "being" now living in the United States, or who may hereafter live in said states, shall be deprived of his life, liberty, or property without an indictment by a grand jury, a trial by a petit jury, and the judgment of a court thereon.

Before advancing to the other branch of this argument, we may be permittted to assume, at this stage of our reasoning, that there is not a slave at this moment, in the United States upon the terms mutually agreed upon, by the people of this country, at the formation of the Constitution. If this be true, any judge in the United States, who is clothed with sufficient authority, to grant a writ of Habeas Corpus, and decide upon a return made to such a writ; on the master and slave being brought before said judge, to inquire by what authority, he the master held the slave; if the master could not produce a record of conviction, by which the particular slave had been deprived of his liberty, by indictment, trial, and judgment of a court, the judge would be obliged under the oath which he must have taken, to obey the Constitution of his country, to discharge the slave and give him his full liberty.

2. Upon the same principle, no judge, magistrate, or court in the free or slave states, is authorized to make an order to deliver up a fugitive slave, unless the master produces a record of the conviction of the slave, showing that he has been deprived of his liberty by an indictment, trial, and judgment of a court, or by "due process of law." Let it always be borne in mind that the Constitution, being a supreme act of the sovereign people, acting with the oneness of a consolidated empire, and not as distinct sovereignties, in its formation, becomes paramount to the constitution, laws, or usages of any single state, whenever and wherever they conflict. So fully sensible that the Constitution of the United States would be but a rope of sand, unless the same, and the laws made in pursuance of it, by the Congress, were paramount to all state constitutions and legislation, that the American people did not chose to leave it as a matter of inference, but incorporated the same into the Constitution of the United States.

"Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government, of the United States, or in any department or officer thereof;" 18th clause of the 8th section of 1st article.

But more particularly the second section of the 6th article of the Constitution of the United States establishes the proposition, which is, "this Constitution and the Laws of the United States, which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby; any thing in the Constitution or law of the state to the contrary notwithstanding.

It seems to have been a matter of very great anxiety among the politicians of the slave states, to satisfy the American people that slavery was an institution, recognized in the Constitution of the United States.

To be sure they have had great disagreement amongst themselves as to the article or section of that instrument in which this tremendous power of man over man was lodged, some finding it in one article, and some in another; but they have all agreed it does exist some where, in this revered instrument. Admitting that the monster slavery is permitted to exist with limitations and restrictions, in the Constitution, we contend that it can exist no otherwise, than as the Constitution has said it shall exist, which is that "no person shall be deprived of his liberty, except by due process of law."

Until this great constitutional pre-requisite has been complied with, no man in the nation can have a Constitutional *deed* of another's body, and the control of its powers. The slaveholder has never seen fit to comply with the great compact agreed on, in the Constitution, by which which the power to hold a slave, was created.

But the slaveholder has assumed a jurisdiction over the slave, in the very face of the Constitution, and contrary to its solemn interdict, and high behest. The reason why these unasserted rights of the slave have lain dormant and unexamined seems to have arisen from the utter inability of one under the bonds of slavery, to take the very first step, which is to appear in a court of law, to vindicate his right for and to himself. For in the slave states the barbarous rule has become law by which every person in whom there is African blood, is presumed to be a slave, till the contrary is made to appear.

The colored man, instead of going into the temple of justice, with the charitable presumption in his favor, that he is a man, and a freeman, comes with a prima facie judgment against all his inalienable rights. The laws of those states in which slavery exists, say, in defiance of the Constitution of the nation, that the colored man is to be considered a slave, and his having African blood in his veins is made the test, instead of the one laid down by the United States Constitution; which is a record of conviction showingthe individual to be a slave by due process of law. The Constitution of the United States presumes the colored man a freeman wherever he is found in the confederacy. And that presumption can only be rebutted by the record of conviction shewing that he has been deprived of that liberty, by due process of law.

The Constitution and laws of the slave states say the test for the loss of liberty depends upon a man's blood, the curl of his hair, the distended nostrils, the thickness of his lips, or the darkness of his complexion. The Constitution of the United States says it depends not on blood, ancestry, the country or origin, the shade or complexion, the nostril or lip, but on a record of judgment pronounced by a court on oath, by a petit or grand jury, on oath, and by evidence taken before these juries and court, on oath. Each and every step taken in this moral demonstration and search for truth, was to have been under that solemn appeal to the retributions of the eternal judgment, for the truth of the testimony taken, as for the opinions formed on that evidence by the grand and petit juries and court.

Which of these tests ought to prevail we can entertain no doubt as long as the Constitution of the Confederacy is *paramount in authority, to all* state constitutions, and laws made under them, or judicial decisions of slave states made in hostility to the Federal Compact?

But it may be inquired, why has not the slave asserted his right long since? Ask the ox and the horse of New York why they have not exchanged their hard masters for the unbounded liberty of the wild ox and untamed horse of the vast praries of the Western wilderness?

Man was not a slave justly, when made so by all the forms of our national Constitution. Rank injustice lies at the bottom of the principle, even when the slave had had the benefit of all the forms prepared by that Constitution for his defence. But because the Constitution was wrong in making a man a slave, even by due process of law, that is no reason for stripping him of the rights and presumptions, which the Constitution has flung round him for his defence.

The practice has been for the lordly slaveholder, or his agent, in all the pride of wealth, to pursue his fugitive, and on very slim proof before a magistrate, that the man had been in his service some time, or that he had bought him, or that he was born on his plantation. Without pushing inquiries further, the magistrate makes an order and delivers the helpless fugitive to his alleged master.

The fugitive is taken from the State of New York to Alabama.

Who is there in New York to carry up this decision of the magistrate to the Supreme Court of this State? The fugitive, who might claim a title to his body as plaintiff, is gone, as well as the master who should be the defendant, both out of this state. How could the Supreme Court obtain jurisdiction by way of reviewing the magistrate's decision? Both parties are gone from the state. But supposing some friend of humanity should, at his own expense, have the magistrate's decision reviewed by the Supreme Court, and carry the cause there, and that court should reverse the judgment of the justice. What benefit can accrue to the slave?

The Supreme Court of this state can issue no writ for deliverance beyond the bounds of New York. Consequently in the course of 48 years, amidst the thousands of fugitives, who have been sent into slavery from this state, no argument in the Supreme Court, or the Court for the Correction of Errors, involving the great constitutional rights of the slave, has ever been considered or debated.—One or two cases have been before the Supreme Court and Court of Errors on incidental points, involving an inquiry into the rights of persons claimed as slaves. The Congress of the United States would not have conferred the apparently immense power, without the trial by jury, upon single judges, and even single magistrates of moderate capacity with little learning in every town and village in the United States to decide so great a question, as whether one of our citizens was a freeman or slave, but upon the presumption, that every slave in the nation at some period, had been deprived of his liberty, within the meaning of the Constitution, by due process of law; and that the record of that conviction by a grand and petit jury, and judgment of a court, would always be produced, by the master or his agent, to the jury, or magistrate, as the very title deed, proving that the man had lost his liberty, by due process of law. This is the reason why the act of Congress makes no provision for a trial by jury, in case of a fugitive, presuming that the man had once the full benefit of a jury trial, or otherwise he could not be called a slave.

But after all, it may be asked, if the Constitution has made provision that no person shall be deprived of his life or *liberty*, without due process of law, why may not Congress pass a declaratory act, carrying into effect the spirit and intention of this article of the Constitution?

"If there be any general principle which is inherent in the very definition of Government, and essential to every step of the progress to be made by that of the United States, it is, that every power vested in the Government, is in its nature sovereign, and including by the force of the term, a right to employ all the means requisite and forcibly applicable to the attainment of the end of such power; unless they are excepted in the Constitution, or are immoral, or are contrary to the essential objects of political society." So says Judge Story.

The Constitution having taken up, staked out and defined the great landmarks of personal liberty; and having placed

each individual, or "*person*" of this Republic in a condition to enjoy the full benefit of a Jury trial before a Court—proceeding upon the principles of the common law, before liberty can be taken away, can it be tolerated, that States and individuals of slave States by the boldest tyranny, shall seize upon and defraud 2,500,000 of American citizens of their liberty, and convert them into abject slaves, in the face of their own high and solemn constitutional barrier, which was made paramount to all State Constitutions, laws, usages, judicial or legislative? Congress would possess the undoubted right to say, that the constitution of the Union, has settled the terms and conditions, on which a human being may be made a slave, forbidding all other manners or modes. The people of the slave States have had 48 years, almost half a century, to avail themselves of the constitutional mode for perfecting their supposed title to the bodies of their fellow citizens. But from the wantonness and absurdity peculiar to all such unnatural relations as that of master and slave, the master has siezed and held the slave, contrary to the Constitution, and without his constitutional title deed. The masters have admitted their inability to prove their colored people slaves, as they have never done it. Almost two generations have gone down to the grave since the shape and form in which slavery should exist, without finding a human being deprived of his liberty, by due process of law, on the ground that he is a slave. It would be fair to infer that there were none. Therefore Congress would but obey the strongest dictates of patriotism in giving full play and action to the Constitution, by imparting the blessings, contained within its mighty folds.

Congress have full power therefore to pass a law abolishing slavery, in substance, in the following words:—

"Whereas the People of the United States by the Constitution ordained that no person should be deprived of his liberty except by due process of law, by indictment by a grand jury and the judgment of a court: And whereas the People of the United States, who pretend to hold slaves by the laws of several States, have never established their title to their alledged slaves by due process of law, during the forty-eight years, which have existed since the mode of creating a slave was ordained by the sovreign people of these United States: Therefore be it enacted by the Senate and House of Representatives, in Congress assembled, that all persons in the United States, who were not deprived of their liberty and made slaves by indictment by a grand jury, trial by a petit jury, and judgment of a court, previous to the first day of January 1837, be and the same are hereby declared to be free persons, any constitution of any State or law thereof, or usage judicial or legislative in any State of this nation, to the contrary thereof notwithstanding."

From the reasoning pursued in this paper, it appears manifest that every fugitive slave, who has been delivered up, ought to have had his liberty; that every order made for the delivery of slaves to these supposed masters, have been made, without the evidence required by the Constitution.

A further deduction seems legitimate from these premises, that we of the North are not bound to uphold slavery in any form, as we have not the evidence agreed on by the Constitution, that there is a slave in the United States.—All presumptions are to be made in favor of liberty, until the Record evidence, by due process of law appears, by which the slave has been deprived of liberty according to the Constitution of the United States.

We are bound to do but one thing, which is to petition Congress, without ceasing, until Congress passes a declaratory act, in affirmance of the great principles of human liberty established in the 5th article of the Amendments to the Constitution of the United States, by which every slave unconstitutionally deprived of his liberty, may lift up his head and rejoice for the hour of his redemption.

If it be true that Congress have entire power over the question of slavery, and a right to put an end to the unconstitutional slavery which now exists, is it not a matter of rejoicing that in all future efforts of our cause, they will be directed, not against slavery in detail, in the District of Columbia, or the internal slave trade between the states, but against it as a whole, as an entirety. We can fence in the whole field. How thankful should we be, if the foregoing proposition be true, that the responsibility of slavery rests on the entire American people, and that its overthrow does not depend upon the conversion of slaveholding states to our sentiments; but Congress has ample and complete power over the question.

For all this, let us give thanks to the Most High.

Resolutions in conformity with the preceding argument—submitted, not for present adoption, but for discussion and deliberation.

1. *Resolved*, as the sense of this Convention, that the people of the United States in their sovereign and primary capacity, having made and adopted the Constitution of the United States as paramount to all States constitutions, State legislation, or State judicial decisions, we therefore believe that the Constitution of the United States in the 5th Article of amendments, imperiously and forever settled and fixed the mode by which a man might become a slave in this confederacy, in those words which say, nor "shall any person be deprived of his life, liberty or property, without due process law," which, we believe, means that no person shall be deprived of his life, liberty or property without an indictment by a grand jury, a trial upont the principles of the common law by a petit jury, and a judgment pronounced, on the finding of said petit jury, by a court.

2. *Resolved*, That we believe that the true interpretation of the 5th article of the Constitution forever settled in this land the test or mode by which a slave might be created within the great constitutional compact, which was that, before the man could become property or a slave within the constitutional definition, the man must have been indicted by a grand jury, tried by a petit jury, judgment pronounced against him by a court, proceeding upon the principles of the common law, and a record of said conviction made and filed with the clerk of said court as perpetual memorial and record evidence, that the man had a trial and been deprived of his liberty, by due process of law within the meaning of this article of the Constitution of the United States.

3. *Resolved*, That we are conducted to the conclusion expressed in the foregoing two last resolutions, from the words "persons" and "person," having in other parts of the constitution been employed to designate slaves, and also used to signify slaves and freemen, and there being no exception made in the 5th article of amendments, where the word "person" is used again, upon all reasonable principles of construction, we are compelled to believe that no person, bound or free, can be deprived of his "liberty" without due process of law, which we defined, as we believe it is understood by eminent jurists, both ancient and modern.

4. *Resolved*, Believing the truth of the three preceding propositions, we do not believe there is a slave in this nation, held according to the *great agreement* made by the sovereign people in the Constitution; and inasmuch as that Constitution is paramount to all state constitutions or legislation, on all points where it speaks;

Therefore, Resolved, That there is not a legal slave in the land, or one held constitutionally; therefore they are now free, any law of any state to the contrary notwithstanding; because the people of the slave states have not deprived their alledged slaves of "liberty" by "due process of law," that is to say, by the trial awarded to each person in the constitution before he or she could become a slave.

5. *Resolved*, That every magistrate or judge who makes an order to deliver a fugitive slave, in this nation, to any person claiming said fugitive, as his property, acts illegally and contrary to the express letter and spirit of the 5th article of the amendments to the constitution of the U. S,, unless the claimant of said fugitive, produces to such magistrate or judge a record of conviction against the fugitive, showing that the identical fugitive has been indicted by a grand jury, tried by a petit jury, and judgment in pursuance of the finding of the petit jury, has been pronounced against said fugitive, by a court proceeding upon the benign principles of the common law, by which said fugitive has been deprived of his liberty by "due process of law."

6. *Resolved*, That inasmuch as 48 years have gone by, or near two generations of men since the great constitutional ear-mark of slavery was fixed and agreed upon in that instrument, therefore it is a fair legal presumption, that slaveholders did not feel able to prove their title to their slaves by the form laid down in the Constitution, as the only way or manner by which they could get a legal constitutional title, therefore they seized upon the persons of their slaves, and have held them, not under but in defiance of, the most explicit provisions of the Constitution of country.

7. *Resolved*, That Congress has power to pass a declaratory act, in pursuance of the 5th article of amendments to the Constitution of the U. S. declaring that all persons, in the United States, having had full power for 48 years or from the formation of the Constitution of the U. S. to deprive those persons who were slaves of their liberty, by due process of law, by indictment, trial and judgment of a court, having done so; but having in various states, holden many persons as slaves, contrary to said Constitution; therefore, we believe it might be enacted that all persons, who, on the first day of January 1837, who were held as slaves, but who have not been deprived of their liberty, by indictment, trial, and judgment, according to the constitutional provision aforesaid, might be declared to be free, the constitution of any state, the laws therefore, or any practice, or custom, or usage, whether judicial or legislature, of such state to the contrary thereof notwithstanding.

From the N. Y. Com. Adv., May 12.

Destructive Fires.

Yesterday afternoon about 3 o'clock a fire broke out in some stables in the centre of the block bounded by Pitt, Whett, Livingston and Stanton on sts.

The stables were occupied by Messrs Kegan, Riley, Mc Cormick and Powell, and were entirely destroyed, and one horse consumed in the flames.

The conflagration spread with great rapidity', the wind being fresh from the northeast at the time, and in the course of two hours upwards of fifty families were turned out of house and home to shift for themselves as they best could, and ever twenty houses were consumed or injured.

THE PHILANTHROPIST.

EDITED BY G. BAILEY, JR.

CINCINNATI:

Tuesday Morning, MAY 22, 1838.

REMARKS ON MR. STEWART'S CONSTITUTIONAL ARGUMENT.

That Congress by the Constitution has no right to legislate for the abolition of slavery in any of the States of this confederacy, has always been an article in our political creed. We have invariably regarded this point as fully decided, by the absence of any clause in the constitution conferring such a right, by the well-known intentions of the framers of that instrument, by the votes of Congress, and by the fixed opinions of the people of the United States for forty-eight years. We must confess then, that the position assumed by Mr. Stewart was indeed "startling" to us; still, our former belief did not prevent us from examining, with great care and as much candor as we could command, all that he found himself able to urge in its defence. The result was, a clear and firm conviction that the writer had totally failed in making out his case.

If the reader will analyze the argument of Mr. Stewart, he will perceive, that the whole force of his reasoning depends upon a novel construction given to the clause in the fifth article of amendments, which provides that, no person shall "be deprived of life, liberty or property, without due process of law." His assumption is, that this clause guards with equal force the rights of every "human being in this Union, black or white, bond or free." If this be true, then it follows that every slave, born or brought into this country during the last forty-eight years, is of right and in fact a *freeman*, and Mr. Stewart's position is fairly sustained,—Congress has power by the Constitution to pass an act, carrying into effect this provision in the case of slavery in the States. If false, his position falls to the ground, together with the numerous inferences and illustrations which constitute the largest portion of his article.

There remains then but a single question to settle,—Is this novel construction of the clause in consideration true or false?—In other words, Is this the construction mutually agreed upon by the original parties to the Federal compact?

Mr. Stewart, aware that the simple letter of an instrument ought not to be interpreted without reference to its general tenor and the recorded intentions of its framers, attempts to support the affirmative of this question, by four distinct assumptions, and a brief comment on the use of the term, "person"—all of which are designed to prove that the application he has made of the clause in question, is the very application which those who formed and those who adopted the Federal Constitution, intended should be made. No other proof is offered throughout the article, than such as is furnished in these assumptions and this comment. The assumptions are made in the following order.

1. One of the reasons why this clause was incorporated in the constitution was, the existence of slavery in the states; or in his own language,—"The framers of the constitution, fearing and knowing that a different rule or principle prevailed in some of the states, in relation to certain *unfortunate persons*, known under the name of *slaves*, determined to incorporate this branch of Magna Charta into the constitution, as a fundamental law of the confederacy."

2. The North, *having made* itself a partaker in the crime of slavery, by assenting to the several provisions in the constitution relating to it, "out of courtesy, might firmly, *as it did truly*, insist that the constitution should contain the only *mould* in which slaves should be *run*, and if they were not made in that mould, with all its forms, they could not exist." (The "mould" is the clause so often referred to.)

3. "In theory," at the time of the Federal Convention, "there was one vast assembly of the American people." "A man of the North" arises and says—We of the North will never assume a part of the burden and guilt of any slavery, except such as shall be made "by due process of law." What I mean is, that each man, woman and child, claimed as a slave, shall not become such, "except by the indictment of a grand jury, and trial by a petit jury, and the judgment of the court thereon, that the person is a slave and the property of A." "The man of the South" then rises and says, that "many persons are claimed as slaves who are not, and others who are, who think they are not. This mode of trial will settle the question; and we of the South are willing to enter the confederacy on these terms, that "no person shall be deprived of life, liberty, or property, without due process of law." "Thus the great and difficult question was arranged, in the formation of the Constitution."

4. The master, "for the greater security from his slaves' insurrections and flights, agreed upon a new criterion of slavery," a slavery which should first be "proven by the course of a legal trial."

These are Mr. Stewart's assumptions, boldly announced, but unsupported by one argument, a single fact, or the most indirect reference to the records of the times when the Constitution was framed, of the proceedings of the Convention that framed it, or of the state conventions that ratified it. We now ask him, on what authority he makes such assertions? Where is the record, or what the tradition which emboldens Mr. Stewart to declare, that a special reference to the condition of slaves; an unwillingness on the part of the North to suffer any of the relations of slavery to be adjusted by the constitution, unless that slavery were created by due process of law; a desire on the part of the slave-holders "for greater security from their slaves' insurrections and flights," were the motives which led to the incorporation of this clause of Magna Charta into the Federal Constitution. From what document hitherto undiscovered, does he learn, that the subject of slavery was under full discussion in the Convention of '87, and that then and there the North insisted and the South assented, that there should be no slaves except those who should be made such, "by the indictment of a grand jury, and trial by a petit jury, and the judgment of the court thereon," that A, B, and C, were slaves? Can it be that a gentleman of so much intelligence has ventured on so bold annunciations without his vouchers? If not, let him produce them; it is due to the American people that they should be made familiar with authorities which warrant assertions, so much at variance with all that has been handed down by record or tradition.

But want of proof is not the chief objection we have to oppose to these assumptions:—Positive history clearly shows that they are groundless. History records, that this grand provision of Magna Charta on which Mr. Stewart insists so much; this provision which was adopted by the "framers" of the constitution, because they feared and knew a different rule prevailed in relation to slaves; this provision for a constitutional slavery, without the adoption of which, the North would not come into a Union having any relations to slavery; this constitutional, this only "mould" for *running slaves;* this "new criterion of slavery," which the South assented to for the sake of "greater security from slaves' insurrections and flights;"—composed no part of the original constitution, but was ingrafted into it, some years after this instrument had been ratified by the states, North and South, with all its obnoxious and criminal regulations in relation to slavery.

The Federal Convention finished their labors, September 17th 1787, and the constitution they had prepared was submitted to the states severally for their final decision. A sufficient number having ratified it, the first Congress under the new government assembled March 4th, 1789, and sat till September 28th of the same year. During the session, a committee was appointed to consider and report on, various amendments which had been recommended by the state-conventions, after their adoption of the Constitution. The committee reported, and "at length, ten articles in addition to, and amendment of the constitution, were assented to by two-thirds of both houses of Congress, and proposed to the legislatures of the several states," by which they were finally ratified. Among these was the article that contains the clause on which Mr. Stewart's argument is based. This statement of facts, it is presumed, will not be disputed: but, if it be true, it proves,

1st, That it cannot be truly said, that the framers of the constitution, knowing and fearing that another principle or rule of action prevailed in some parts of the country, incorporated this branch of Magna Charta into our compact of Union,—because the provision was not made a part of the Constitution until at least two years after the ratification of that instrument by the States:

2ly, That it is true neither in fact nor theory, that the adoption of this clause was made a term of Union by what Mr. Stewart has called, the free states,—because the Union with all its sinful provisions with regard to slavery was formed two years before the ratification of the amendment containing this supposed term:

3ly, That the South, whatever might have been done subsequently, did not at the period to which Mr. Stewart refers, agree upon a new criterion of slavery,—because the introduction of this supposed criterion was of later date.

But it may be said, that this is a mere question of *time;* no matter whether the claim in question was incorporated into the compact of Union at the period of its formation or subsequent to it,—the incorporation, when it did take place, was brought about under the circumstances and from the motives, stated by Mr. Stewart.

If this were true, it might naturally be expected that the northern states would have manifested great solicitude concerning slavery, and the incorporation into the constitution of some clause conferring on Congress the power to abolish it in the states. But did they manifest any inordinate anxiety on this point? We grant that public sentiment in a large majority of the states was hostile to slavery and regarded it as a sore evil, destined soon to disappear under the manifold influences springing out of the revolutionary conflict, the universal agitation of the human mind on the subject of man's rights, and above all, the dissemination of the humanizing truths of christianity. But, we are not aware that any attempt was made in the Convention of '87 to take the remedy for this evil out of the hands of the states; and there are facts enough on record to satisfy any mind that such an attempt, if it had been made and persevered in, would have been fatal to any prospect of Union. It is well known that, even the article in relation to the slave-trade was an article of compromise, and that South Carolina and Georgia positively refused to be parties to any constitution that would empower Congress to put an immediate end to this nefarious traffic. Northern men knew this, and were evidently aware of the sensitiveness of the slaveholding states on the subject of Federal interference with slavery; and therefore, in their several state-conventions, assembled to decide on the question of adopting the new constitution, while they were free in their expressions of abhorrence against the principle and practice of slavery, they never, so far as we are aware, objected to the Constitution because it did not confer on Congress the right of abolishing slavery in the states.

In the Massachusetts convention, allusions to the subject of slavery were frequent, but the only questions were, shall we do any thing by ratifying this constitution "to hold the blacks in bondage," or "shall we become partakers of other men's sins?" We have examined the records of the debates in this convention, and have not been able to find that the propriety of conferring power on Congress to legislate on this subject, was advocated by a single member. All seemed to recognize the independence of the states individually in this matter, and there was not even a hint thrown out, that Massachusetts, seeing she was about to pledge herself to a compact which involved her in the guilt of slavery, ought to insist on the adoption by the other states of a provision determining how and in what manner slavery should be created.

The same remark applies to the conventions in New York and Pennsylvania. None of them seems to have conceived of the ingenious plan of reaching slavery through the medium of Federal action, which Mr. Stewart after the lapse of fifty years has so happily hit upon.

What! did not Massachusetts—that noble state, that state consecrated to liberty, the blood of whose sons was first offered up on the altar of Freedom,—did not Massachusetts, conscience-stricken and abased, at having entered into a solemn engagement to re-deliver fugitives from a cruel bondage, and put down slave-insurrections, even at the point of the bayonet,—did not Massachusetts insist upon the adoption of some proposition that would in a degree lighten her guilt? Did she not recommend some "constitutional mould" in which slaves should be "run?" Did she not insist on making her own conditions as to the kind of slavery she had engaged to uphold? Did she not urge as an indispensable condition to her continuing in the confederacy, that no kind of slavery should be entitled to constitutional protection, except a slavery created by "due process of law?" Did she not, in a word, having become a participator in the guilt of slavery, demand that no slave should be made such, except on "presentment of a grand jury, trial by a petit jury, and decision of a judge thereupon?" Alas! such evidences of a penitent spirit are not to be found. Massachusetts, on ratifying the Constitution, recommended nine alterations or amendments, but not one of these by the utmost latitude of construction could be understood as having any thing to do with slavery. The only article among them all which respects personal rights, provides as follows:

"That no person shall be tried for any *crime*, by which he may incur an infamous punishment, or loss of life, until he be first indicted by a grand jury, except in such cases as may arise in the government and regulation of the land and naval forces."

This of course has nothing to do with slaves. None of the other states which were about to become free, manifested more feeling on this point than Massachusetts. So totally opposed are Mr. Stewart's suppositions to every record of those times; so groundless is the assertion, that "the man of the North" insisted, as a condition to his entering the confederacy with the "man of the South," that no slaves should be made such, except by "due process of law."

Once more—and we trust that the total fallacy of Mr. Stewart's assumptions will be made plain to every mind. This grand safeguard of liberty, this clause which constitutes with Mr. Stewart the only "mould" in which slaves were to be "run," was recommended by a *slave-holding* state—a state peculiarly jealous of Federal prerogatives:—*It was recommended by Virginia.*

June 27th, 1788, the Convention of Virginia ratified the Federal Constitution, but recommended as amendments several provisions reported by Mr. Wythe, among which was the following:

"No freeman ought to be taken, imprisoned or dissezed of his freehold, liberties, privileges or franchises, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the law of the land."

This of course was the basis of the clause of the fifth article, (so often alluded to,) which was adopted by Congress, submitted to the state-legislatures, and now composes an essential part of our Constitution. So it seems, that it was the "man of the South" and not "the man of the North," who proposed this important clause for adoption; and that, from the language in which the proposition is couched, nothing was further from his thoughts than to have the provision apply to slaves—than to establish a "new criterion of slavery." "No *freeman*," &c., is the language.

It may be said, that although this *restriction* was contemplated by the Convention of Virginia, Congress, by substituting the term "*person*" in the amendment adopted by them, gave sufficient evidence of their disapprobation of the restriction, and of their intention to extend the provision to "every human being in the Union."

The objection is set aside at once by the fact, that the substitution of the term "*person*" for "*freeman*" occasioned no uneasiness among southern members; but this could not have been, if Congress had designed by the clause so amended, to establish a rule for making slaves, which would entirely have changed the relation of master and slave, and speedily have subverted the very foundations of state-slavery. Southern members, as history clearly testifies, were too jealous of Federal interference on this subject, and too vigilant against all foreign attempts to deprive them of their slaves, to acquiesce for a moment in any such design, or to suffer a trick to be played off on them by the incorporation of a clause, which northern members purposed at some future day to use for the overthrow of slavery. The records of the debates in the first Congress on the various amendments presented) do not show that any such fear was entertained, that any discussion took place respecting the bearings of this clause on slavery, or that the substitution of "person" for "freeman," occasioned excitement or uneasiness of any kind. The necessary inference is, that it was well understood at the time by all the parties concerned, that the provision, like all other provisions in the Constitution for the security of personal rights, recognized a standing and an acknowledged exception in the case of slaves. The true and only reasons for the preference of the term "person," are to be found in the *fact* that the Constitution was designed not only for slave-holding, but non-slaveholding states, and in the *policy* which had uniformly influenced the framers of the constitution to avoid (whenever possible) every term or phrase, which could awaken the obnoxious idea of *slavery*, and indicate its existence in the Union.

So much for the assumptions of Mr. Stewart. A few remarks in regard to his comment on the word "person," and we shall conclude this article.

The whole argument on this point may be summed up as follows.

"Persons," is a term used in the Constitution to designate *slaves* in one instance, and *slaves* or *freemen* as the case may be, in two other instances: therefore, when the term is used in the following provision—"nor shall any '*person*' be deprived of life, liberty, or property, without due process of law"—*slaves* as well as *freemen* are meant.

After what has been said, the unsoundness of this argument can easily be made manifest.

The whole history of the formation of our Union proves, as we have already seen, that slaves had nothing to do with the framing of the Federal Constitution; that they were in no proper sense parties to the compact; that they were never made a subject of discussion any further than the convenience and safety of the masters required; that none of the provisions or guaranties of the Constitution was designed to apply to them; but that by the tacit agreement of all parties, they were to constitute a standing exception to all recognitions and securities of rights, incorporated into the compact of Union. Slaves therefore are never to be understood as designated by the Constitution, unless they be definitely pointed out by the context and the peculiar nature of the provisions of which they are the subjects. Now the term, "persons," in the three instances wherein it confessedly applies to slaves, is used under such circumstances and in connection with such provisions, as plainly indicate that slaves were meant. Nevertheless even here, the precise meaning of the term is to be ascertained by referring to the intentions of the framers of the constitution, and the circumstances under which they performed their labors.

Such reference in *one* instance, proves that, when the term, 'persons,' is used, *slaves* are meant; in *two* instances, that *slaves* or *freemen*, as the case may be, are indicated; and in *all other* instances, that *freemen alone* are designated.

The clause therefore, if it had been designed to reach the case of slaves, should have been placed, as in the three instances just mentioned, in such a context as might have prevented all doubt; it should have been framed after this fashion; "Nor shall any person, not even the children of those held to service under the laws of any state, or persons imported into this country from the date of the adoption of this amendment to the year 1808, be deprived of life, liberty or property, without due process of law."

We ask Mr. Stewart seriously, whether he verily believes that this was the true meaning intended by the Convention of Virginia when it recommended the amendment, by the first Congress when it assented to it, and by the legislatures of the several states when they ratified it? If such be his belief, certainly he ought to be able to bring to its support, other arguments than mere assumptions and verbal criticisms; for as such we must regard the only evidences he has offered to sustain his bold position.

In conclusion we would remark, that in our judgment, it is unwise to attempt to relieve ourselves as a nation of the guilt of upholding slavery. Our Constitution does recognize the fact of its existence in the states; it did allow under all the protections of the Federal government the piratical traffic in human beings for nearly 20 years; it does bind the free states to a participation in the tremendous responsibilities of slavery, by requiring them to re-deliver fugitive slaves, and to suppress, when called upon, insurrections among slaves, even at the cost of their extermination. The North entered into this criminal compact—for criminal it was and is, and no sophistry or ambiguity of language can make it otherwise—with its eyes wide open, never insisting that Congress should have power to abolish slavery in the states, and making no conditions whatever as to the kind of slavery it would pledge itself to support. It did nothing to alleviate the guilt it was about to incur; and we cannot but regard any attempt at this late day to relieve the free states from any portion of their criminality in this compact of iniquity, by disseminating the idea that they stand pledged only to a slavery that has been or may be created "by due process of law," as too much like a trick to extricate them from the guilty predicament in which they have placed themselves. Besides, it looks too much as if it were designed to over-reach the slave-holder and deprive him of his slaves by a technical artifice—by a mere rule of legal construction, which, however important on the whole in the interpretation of written contracts, no man has a right to avail himself of, to accomplish what he knows was never intended.

Having expressed ourself thus plainly, we owe it to the high-minded and able author of this Constitutional argument, to disclaim in the most explicit terms the slightest intention of charging him with unfairness or insincerity or any sinister design in the promulgation of his novel opinion. On the contrary, we have no doubt, that in this movement, as in all his indefatigable efforts in behalf of the slave, he is actuated by pure and fervent philanthropy.

☞ We call the attention of our friends in the city and vicinity to the following notice. Let there be a full attendance. The meeting last Friday Evening was interesting and spirited. It is high time the cause should be vigorously pushed forward in this place.

Anti-Slavery Meeting.

The Cincinnati Anti-Slavery Society will meet on next Friday evening at half past seven o'clock, at the residence of Dr. Colby, Vine st. 2d door south of 7th street, East side. Mr. Boyle will deliver an Address.

A. HOPKINS, *Sec.*

☞In our next number we intend to publish full reports of the proceedings of the Great Methodist Anti-Slavery Convention at Utica, and the American Anti-Slavery Society at its late Anniversary.

Abolition in the Methodist Episcopal Church.

Orange Scott stated at the late Anniversary in New York, "that three years ago, scarcely twenty-five of that denomination (the Methodist,) were known as decided abolitionists. *Now*, there were 2,000 ministers, and from forty to fifty thousand members, who were heart and hand with the friends of Emancipation."

At the Great Convention in Utica, New York, May 2d and 3d, 200 delegates were present from the following twelve Annual Conferences; New England, N. Hampshire, Maine, New York, Philadelphia, Troy, Oneida, Black River, Genesee, Erie, Michigan and Baltimore. New Jersey, Pittsburg, Ohio, and Illinois Conferences were represented by communications. Indiana, was the only one in the free states not represented. Out of 28 Annual Conferences, 16 were therefore represented. The communications, "numbering about 150," were from 12 different states; a large portion of them from Ohio, Pennsylvania, and New York. They are to be published from time to time in the Zion's Watchman, and other Methodist papers, as the "Committee of Correspondence" may direct. They were signed by 600 names—"mostly of travelling and local preachers, and official members of the church." Numerous resolutions were passed, a Declaration of Sentiments was put forth, and a committee appointed to prepare an address to the members of the M. E. Church. Rev. Luther Lee was appointed to represent the anti-slavery cause, as it is connected with the M. E. Church, to the Wesleyan Conference in Canada, at its next session, and to enlist the influence of that body in favor of "our cause." Rev. Orange Scott was appointed a delegate to attend the next session of the Wesleyan Conference in England, for the same purposes.

The editors of Zion's Watchman say, that "all things considered," the Convention "exceeded their most sanguine expectations."

Anniversary at New York.

A letter from our dear friend Mr. Birney, furnishes a brief notice of this Anniversary. In another letter he informs us, that Rev. David Root, "formerly pastor of the 2d Presbyterian church in Cincinnati, was appointed to represent the Parent Society at our Anniversary."

Depository of the Ohio A. S. Society.

I presume the private library of most of the reading abolitionists of our country has a greater variety, and commonly a greater quantity of books in it than this establishment. Excepting the pamphlets, I presume I could put the whole concern into my pockets, and travel off with it without much inconvenience. A few days since I went to Cincinnati, for the purpose of obtaining one or two anti-slavery books, recently published. I went up Main street, till I saw, in large letters, "OHIO ANTI-SLAVERY OFFICE." What was my surprise on entering, to find a beggarly account of empty shelves. I felt ashamed that the head quarters of our powerful society should have so little ammunition for aggressive warfare. The book which I particularly wanted was not to be had. I sat down a few minutes to read some of the exchange papers, of which there were a large number. In the course of ten or fifteen minutes a stranger came in, and inquired for anti-slavery books—wished to get a full set. The agent told him that a lot was expected on every day. Having some leisure I called daily, till the box arrived. Persons called for books almost every time that I was in. The agent told me that several hundred copies of "James Williams" had been called for within a week or two. In the box which came there were nine of "Thome & Kimball's Journal." This was to supply Ohio, Indiana, Illinois and Kentucky.—I supplied myself, however, took the book home and read it—and have no hesitation in saying that it is one of the most thrillingly interesting narratives that I have ever read. The safety and expediency of immediate emancipation is established beyond a doubt—beyond a cavil. No honest inquirer after truth can read it without being convinced. It takes the reader as by magic into the midst of emancipated slaves joying in their freedom, and of masters rejoicing in their increased wealth and increased happiness and safety. Aside from its literary merits, which are of the first order, it is a rich legacy left to the American people, finely illustrating the superiority of liberty over slavery—of freedom over oppression.

The thanks of the civilized world are due to Messrs. Thome & Kimball for their zeal and faithfulness in collecting and arranging facts and arguments which so clearly and forcibly show the superiority of liberal principles over all others.

All money that can be raised for one year to come should be appropriated in printing and distributing this book. It will abolitionize the world. It will remove all objections but such as spring from negro-prejudice. *I hope the Ohio Anti-Slavery Society will obtain immediately 500 or a 1000 copies for the supply of the western country.* The nine that came in the "lot" were gone almost as soon as they touched the shore.

I hope the society will this year appropriate a sum of money sufficiently large to furnish a handsome assortment of books, and keep the money in this department. W.

Letter from J. G. Birney—Anniversary at New York.

Anti-Slavery Office, N. York, May 9, 1838.

My Dear Friend,—Our Convention were employed in business till last evening. The Boston clerical appeal, &c., have been disposed of in a way which is satisfactory, I believe, to all. The Constitutional question introduced by Mr. Alvan Stewart, was not re-agitated after its rejection. The Anniversary meeting held yesterday was, in my apprehension, the most effective one we have yet had—at least of the three that I have attended. The speakers were Mr. Quincy, of Boston, Dr. James McCune Smith, a colored gentleman of this city, Mr. Gerrit Smith, and Mr. Alvan Stewart.

There was in the meeting evidently a friendly feeling toward the cause. The class of mind in attendance was if any thing higher than at any meeting heretofore. The whole went off, in my view, exceedingly favorably. I will give you an instance, showing its influence. A highly respected and influential clergyman of Massachusetts, now filling a responsible station under that Commonwealth, wrote to me on the subject of uniting with the Society, but two days before our Anniversary. He had *four* reasons—and he drew them out at some length—for not joining the Society. It turned out, however, that he was present. When the meeting was over he came to me, and said—"If my name will be of any service to you, you may put it to the Constitution."

The speech of Dr. Smith did immense execution. It was well done in every way. He is a mulatto, of good figure, and very prepossessing, manly countenance. His style of speaking is easy and rapid. I saw a gentleman—one who has been, if he is not now, greatly opposed to us—weeping like a child while Dr. Smith was speaking. The effect, you may be sure, was very great.

There was nothing that occurred in this meeting to mar its influence in the slightest degree. I write you this, in advance of the full account, which you will doubtless receive in the Emancipator of to-morrow.

Yours, truly, JAMES G. BIRNEY.

The Annexation-Game.

It is amusing to watch the shallow artifices of slave-holders, in their efforts to prevail on Uncle Sam to adopt Texas into his family. Now they would urge him with the plea of natural relationship, telling him that Texas is his own lawful child, and that he has a right to reclaim her with a parent's authority. Then they would provoke his paternal affection, by persuading Texas to withdraw her petition for admittance to his favor. Then they would frighten him out of his wits with fearful hints of the danger of losing her forever, because John Bull begins to look kindly on her and is seriously meditating how he shall make her his own. So, as the Frankfort Commonwealth most expressively says, "while we are disputing, the lion takes away the oyster, and leaves the shell."

The latest alarm-intelligence we have seen, is the following, copied by the Commonwealth from a New Orleans Paper.

Recognition of Texian Independence by England—The consequent defeat of Annexation and loss to the United States of the commerce of this young but growing Republic.—We have been favored with the perusal of a letter from London, dated the 15th day of February last, which affords much information in regard to the subjects which head this article. We would premise that the writer of the letter had every opportunity of correct information, and that whatever he says is entitled to the most implicit confidence.

It is stated that the most friendly dispositions were evinced by the British government towards Texas. That the delay in recognizing has resulted mainly from the outbreaking of the Canadian revolution. Another cause assigned

for the delay, was the expectation that Mexico would have invaded Texas during the past winter—the government believing that if ever an invasion was attempted, it would be at that time or never.

The writer expresses every confidence of a recognition this spring, if no invasion by Mexico should take place. It is remarked further, that the Radical, or O'Connell party, opposed the acknowledgment of Texian Independence on anti-slavery or abolition principles. Thus we see that the fanatical prejudices which induce the northern and eastern members of the union to oppose the annexation of Texas operate against the young republic every where—which circumstance should speak volumes to the southern and slave holding states. It might be demonstrated with logical certainty, that the annexation of Texas is to them indispensable; and that upon it depends the permanence of slavery institutions in the south; otherwise, the increasing numbers of northern and eastern bigots, fanatics, abolitionists and pseudo-philanthropists may and will inflict, in a few years upon the slave holding states, the same injustice which similar measures have wrought on Jamaica and other slave holding British possessions, viz: abolish slavery and establish the abominable apprentice system."

Texas and the Frankfort Commonwealth.

The Frankfort Commonwealth admits that the annexation of Texas would contribute to the political strength of the slave-holding states, but says it would be difficult to assign any good reason why they should not be permitted to acquire strength in that manner. There certainly would be none, if these states were not the seat of a system, all of whose influences are at war with the principles of civil liberty, and which demands for its security and perpetuation the suppression of liberty of speech and the press. Already have the slave states, with a white population, equal to only one half of the population of the free states, been able to rule the republic for forty years. This the Commonwealth confesses, and then it asks, what evils have they committed? We have room but for a brief answer. They have apostatized from the principles of the Revolution, dishonored the ashes of their fathers, falsified the hopes of a world longing for freedom and trusting in the power of our example to break their bonds, and covered the whole republic with a dark cloud of infamy, by extending the evil of slavery as far as their power could carry it. To their dominant influence is to be ascribed the admission into this Union, of Kentucky, Tennesse, Alabama, Louisiana, Mississippi, Missouri and Arkansas, *as slave-states*, their soil and their sons polluted by the curse of oppression. To their rule is to be ascribed the abandonment of the territory of the United States South of 36° North Latitude, to the scouge of the Destroyer. *Worse would* they have done, if under the iron heel of *their despotism* they could have crushed entirely the spirit *of the North*. They would have fettered public opinion, by establishing a post-office censorship; they would have instituted tribunals in the free states for trying and passing sentence of death on those, who should dare to denounce slavery as a sin and urge its immediate abandonment.—They would have utterly destroyed the right of petition, as they now stand chargeable with gross encroachments upon it. In a word, they would have enacted laws, formed in exact accordance with the principles so fully embodied in the anti-republican, pro-slavery resolutions of Mr. Calhoun.

The best of all reasons then that can be assigned why the slave-holding power should be prevented from acquiring of strength by the Annexation of Texas, is, that we, the people of the free states, hate to be gagged and hand-cuffed, abhor the yoke, and cannot abide to think and speak and act, just as the interests of slave holders may dictate. If slavery did not exist in the south, we should as sincerely rejoice in the augmentation of her political power, as in that of any part of the Union; and we should not have the slightest objection to the extension in all proper ways, of our territorial limits: for we believe with the "Commonwealth," that our peculiar arrangement and disposition of state and federal prerogatives, are wonderfully adapted to extensive empire.

A Great Anti-Slavery Meeting was held in London, March 21st. Five thousand people are said to have been present. Lord Brougham, Daniel O'Connel, Captain *Howard*, R. N., Drs Cox and Beaumont, George Thompson, were among the speakers.

"Two of the leading members of the House of Lords, Lord Wharncliffe, and the Marquis of Sligo have agreed to second Lord Brougham in his noble efforts for Emancipation." We copy the following from the Pennsylvania Freeman.

☞ The London Patriot of the 29th of the Third month, brings us the grateful information that the friends of Emancipation, throughout the United *Kingdom*, have now but one opinion in regard to the apprenticeship system, viz: that it should be totally abolished on the 1st of Eighth month next. *Thomas Fowell Buxton* attended the meeting of the Anti-Slavery Delegates, on the 26th ult. and declared that he was now in favor of the abolition of the apprenticeship system, and the immediate abolition of slavery throughout the British Islands. On the same day a petition, headed by himself, Zachery Macauly, and Samuel Gurney, and one signed only by the venerable Thomas Clarkson in favor of the abolition of the Apprenticeship System, were presented to the House of Lords, by the Marquis of Sligo.

Alton Observer Extra.

We are indebted to our friend Mr. Hurlburt, for an "Alton Observer Extra," containing the proceedings of the Illinois Anti-Slavery Convention, held at Upper Alton, on the 26th, 27th and 28th October, 1837. It is a highly important document, both on account of the interesting matter it contains, and its association with scenes which constitute an epoch in the history of Abolitionism. It embraces the original call for a state convention with the names appended, an account of the meeting with the names of delegates, a report of their proceedings, their Declaration of Sentiments and Constitution, and an address to the citizens of Illinois.

Rhode Island.—Hon. Wm. Sprague, whose excellent letter in reply to the questions of the Anti-Slavery Society, we published last week, has been elected Governor of Rhode Island, by a majority of 500 votes, notwithstanding a great many of his own party (Whig) deserted him. The unsuccessful candidate John Brown Francis, has been Governor of the state for the last five years. ☞ He refused to answer the inquiries of the abolitionists—he treated with contempt the conscientious sentiments of the people in regard to the subject of human rights: and the people have permitted him to retire to private life. When will politicians learn that abolitionists mean all that they say—that they are prepared to carry out their principles in all places—in Church and in State, at the fire-side, or the ballot-box?—*Pa. Freeman.*

The Western Presbyterian Herald, commenting on the burning of Breckinridge's Magazine at Petersburg, says, in allusion to Mr. Jefferson's sentiments on Slavery,—

"Will the "respectable citizens" of Petersburg disinter his venerated bones, and burn them? Patrick Henry too! —does not their rage boil over, at the recollection of some of his sentiments? The immortal Washington himself!—can they bear the thought of his emancipation of his slaves? Can the statesmen of Virginia, who discussed the question of slavery so freely, a few years ago, in their State Convention, now safely visit Petersburg? How these "respectable citizens" would have been scandalised if they could have heard the debates in the Legislature of Kentucky on the Convention Bill. Perhaps when we publish Judge Nicholas' speech on that subject, by sending a copy to the Recorder of the Town, or some other functionary, civil or religious, we may obtain the honor of a conflagration for the Herald."

The Xenia Free Press relates a remarkable instance of patriotic zeal in a Deacon of the Associate church. While the Associate Presbytery of Miami was in session, Rev. Mr. Kendall, of *Tennessee*, was engaged to deliver an address on the subject of slavery, to an anti-slavery meeting. The meeting was publicly appointed to be held in the Associate Meeting-house. At the appointed time, Mr. Kendall, seven Clergymen of the Associate church, with their Elders, a considerable number of the congregation, and many other citizens, convened, but were prevented from entering the House by the sturdy Deacon, "who stood at the gate, with his hand upon the lock, and his coat stripped off, determined that slavery should not be assailed in a house, over which he in part, had any control."

The Deacon must be a remarkable man.

We learn from the "Free Press," however, that accommodations were speedily procured elsewhere, and the lecture was delivered—to the no small discomfort we presume of the valiant Deacon.

☞ Lately, during a severe thunder-storm in Hennepin, Illinois, the lightning struck the Post Office, killed instantaneously Lorenzo Wells, a worthy citizen, and severely injured the wife of a Mr. Cisel who resided in the building. Mr. Wells was from South Strafford, Vermont.

An Important Debate was to be commenced last evening in Philadelphia, on Colonization *vs.* Abolition, and continued through the week. The debaters are Dr. W. W. Sleigh, and Arnold Buffin.

☞ The "Kentuck" independence displayed in the following, contrasts well with the base truckling which disgraces so many of the Northern members of Congress.

"To the Life.

Mr. Southgate of Kentucky, a Whig from old Tecumseh's District, availed himself of the occasion to advocate the bill, and he made a very effective speech. It was the gentlemen's first appearance on this stage. As a *debutant*, he was eminently successful. In the course of his remarks, he paid his respects to the "Immortals" of the imperial kingdom of South Carolina. He told them that they were a pack of bug-a-boos, and that if any thing occurred in Congress that did not meet their imperial approbation, they set up a cry of Nullification, and ranted a stale and worn-out ditty about the dissolution of the Union. As for a dissolution of the Union, he said, that it was a matter which could not be effected in a twinkling. Whenever South Carolina attempted any act of the kind, she would find that the West and the universal Yankee nation would have a finger in the pie, and would also have a word to *say* about the matter.—As for the Ætna earthquake, and the Ætna thunder and lightning, which the imperial kingdom of South Carolina always professed to have in store, he held the one at defiance, and the other in contempt."

OUTRAGE.

On Saturday morning, last, while the steamer Pawnee was opposite Liberty, on her passage from New-Orleans to this port, the deck passengers seized the second cook, Thomas Turvin, a free negro, tied his hands and threw him overboard. The particulars of the above outrage, as far as we can collect them, are these: On board the Pawnee there were a number of German emigrants, among whom were a deaf and dumb girl, and her three sisters; Turvin had been taking unwarrantable liberties with this helpless girl on the passage, and boasted of his success, which produced a great excitement among the deck passengers, a number of whom went to captain Dunnica, and represented the matter to him, and insisted that he should be flogged. Capt. Dunnica *not thinking the proof conclusive*, refused, but promised to deliver him up to the officers of justice on his arrival at St. Louis. *It is said* that she was missed by her sisters, and on search being made, the negro and she were found in the store room, he having a large knife in his hand, although he a few minutes before denied knowing where she was. The impudence of the fellow had raised the deck passengers to such a pitch, that they determined to secure him, which they did, and dragged him to the forecastle and tied his hands, when one of the ring-leaders called out "overboard with him," and in an instant his doom was sealed. The boat was stopped immediately, and a skiff, with three men who witnessed the proceedings, put off from the shore, but he sunk when within a few yards of them. Capt. Dunnica had gone to arm himself to secure the negro, at the very moment they did the deed, and a number of cabin passengers who were looking on had no idea of their doing any thing but securing him. One of the party named Duff, is in custody; the others made their escape at a wood-yard,—*St. Louis Bulletin.*

If this unfortunate man were really guilty of the vile and disgusting acts charged against him, there was nothing in them that could in any way excuse or palliate this atrocious murder. He was but one among many; there was no danger of escape; the law without doubt would have inflicted rightful punishment. But when it is considered that the Captain, who was in a far better situation to judge of evidence than an excited ignorant rabble, refused even to have him flogged—*on the ground that the proof was not conclusive*,—we are utterly at a loss for language to express our horror at this black transaction. That there was no decided proof against the poor wretch is evident from the cold-blooded account given by the Bulletin. It was "*said*" that he did so and so; and then he was *impudent*, and gentlemen "deck-passengers" got "raised," dragged him to the forecastle, tied his hands, and in one instant, hurried an unprepared, immortal soul, into the presence of Eternal Justice—All this the St. Louis Bulletin records in such a way, as if the *suspicion* of indecent conduct, and "impudence," were sufficient to palliate the murder of a fellow being.

COMMUNICATIONS.

Flushing Anti-Slavery Society.

At the Annual meeting of the Flushing Anti-Slavery Society held the 28th of 4th month, 1838, the following officers were elected for the ensuing year,

ISAAC CHANDLER, Esq. *President.*

George Kinsey, Vice President; Asa Branson, Secretary; Lewis Wood, Cor. Secretary; Thomas Vincent, Treasurer.

After which the following preamble and resolutions were adopted:

Whereas, a correspondent of the "Xenia (Ohio) Free Press," nominates Levi Whipple, Esq. as a suitable candidate for the office of Governor of Ohio to be supported by the united suffrage of Abolitionists and assumes the ground that Abolitionists should form a distinct political party, and, Whereas, we as friends of the great Anti-Slavery cause believe the course suggested would have an evil tendency because it would render our motives suspected—place abolitionists in the attitude of political partisans fighting for office honor and powers and thus corrupt their ranks by filling them up with unprincipled and interested adventurers and tempting them to resort to the ordinary machinery of political warfare, and thus effectually prevent the reformation of public sentiment by turning attention to unworthy efforts for political promotion, therefore,

Resolved, That the organization of the abolitionists into a separate political party is unwise, inexpedient and ought to be discountenanced by every friend of the Anti-Slavery cause.

A committee for the purpose reported the name of Isaac H. Chandler, Esq. as a suitable person to represent this society in the state Convention to be holden at Granville on the 30th of 5th month, May.

Anti-Slavery Meeting.

The Fayette county Anti-Slavery Society held its Anniversary in Bloomingburgh, on the 25th instant. A sermon was preached by Wm Gage, of Concord township, Ross county, from Jeremiah, 1st chapter, 17th verse, showing the duty of christians in leading rather than following public sentiment.

The Executive Committee reported an increase of exertion during the past year, the distribution of 100 copies monthly of the "Human Rights," besides other publications of similar character. They congratulated the Society on the increase of their numbers, and the decrease of embittered feeling amongst their fellow citizens and exhorted to persevering effort in the cause of universal liberty.

Interesting addresses were delivered by J. B. Mahan, of Sardinia, Brown county, Josiah S Parker, John Anderson, and I. N. Taylor, During the evening session, Wm A Ustick and Thomas Larrimore were requested by the Society to answer enquiries relative to scenes they witnessed in the South during the past winter. The statements made by these gentlemen were listened to with shrilling emotion.

The officers of the Society for the ensuing years are,

JAMES MANARY, *Pres't,*

George Roebuck, Thomas Larrimore, Wm Edwards, } *Vice Presidents*

D C Eastman, *Secretary,*

H C Stewart, *Treasurer,*

Managers—John Stitt Hugh Roebuck, John C Eastman, J S Gillespie, E Martin, Jacob Todhunter, Wm. S Williams, John Wilson, Jr, Wm H Eevelon, A M McCoy, Hugh Larrimore, G S Fullerton.

The annexation resolutions were adopted and the proceedings of the meeting ordered to be published in the "*Circulator*," and "Philanthropist." The Society adjourned to meet in Madison township on the fourth Wednesday of June, at 10 o'clock, A M. Closed with prayer by J. B. Mahan.

D C EASTMAN, *Sec'y.*

Resolved, That we view the question of the Abolition of Slavery in the U. S. as the most important question which agitates the public mind. The question of Bank or no Bank falls into insignificance before it.

Resolved, That he who would debar the man of color from exercising the right of petition is unworthy the confidence of an enlightened community.

Resolved, That those members of our State Legislature who opposed measures for the release of Mrs. J Johnson from a Kentucky Prison, possess moral sensibilities littl to be envied.

Resolved, That upon every principle of justice and equity, that Mrs. Johnson is entitled to remuneration for the outrage committed on her person and liberty by citizens of Kentucky; and that we petition our Legislature to demand such redress.

Resolved, That the disappearance of *Alfred Terpin*, a free born youth of Ohio, from this community, and his appearance, in the character of a slave, in Alabama, affords strong ground for believing that some of our citizens, are disposed like the *merchant* of Babylon, to traffic in SLAVES and SOULS of men.

Resolved, That we hold in detestation the system of kidnapping, which makes slaves of freemen for a portion of their lives; but we cannot conceive by what process of reasoning any arrive at the conclusion, that an institution which enslaves men from the beginning to the end of their existence is less criminal.

Resolved, That we agree in sentiment with the Superintendent of Common Schools, as advanced in the 1st. No. of the "Common School Director," viz: that "the universal education of the people, would tend to the elevation of all men to equal privileges in every thing that is desirable in this world or in that which is to come;" but exceedingly regret that our Legislature should be disposed to withhold blessings so important from all not *colored* like themselves.

Resolved, That the education of the free people of color is the hand maid of universal Emancipation.

Resolved, That we recognize XXIII—15, 16 of Deuteronomy as obligatory upon us.

Resolved, That it is highly gratifying to know that Ohio has one Senator in Congress who stands erect in the cause of *Human Rights*, nor basely bows the knee to the *dark spirit of slavery.*

ANTI-SLAVERY.

From the Emancipator.

THE ANNIVERSARY.

Pursuant to notice, the Fifth Anniversary of American Anti-Slavery Society was held on Tuesday, May 8th, 1838, at the Broadway Tabernacle in the city of New York.

ARTHUR TAPPAN, the president of the society, in the chair.

The meeting was opened with prayer by the Rev. Timothy Merritt, of the Methodist Episcopal Church, Lynn, Massachusetts.

Selected portions of Scripture were read by the Rev. E. M. P. Wells, of the Episcopal Church, Boston, Massachusetts.

An abstract of the Fifth Annual Report of the Executive Committee was read by H. B. Stanton, one of the Corresponding Secretaies of the Society.

ABSTRACT

Of the Fifth Annual Report of the Executive Committee of the American Anti-Slavery Society.

The Executive Committee of the American Anti-Slavery Society, present their fifth annual report with renewed confidence that the enterprise which has been committed to their care, enjoys the favor of Almighty God. The seal which He has always set upon every successful and glorious reformation, he has suffered to be enstamped upon this. Our principles now speaking through the blood of the martyred LOVEJOY, partake visibly of that efficacy which eighteen centuries ago smote into dust the chains of idolatry; and which has in later times, made the rulers of Christendom, the servants instead of the lords of their people.

Though far less labor has been expended by the committee than heretofore in extending the organization of Auxiliaries, the reports which have reached us show 340 societies organized since the last anniversary; making the whole number upon the list 1346.

State Societies have organized in Illinois, Delaware, and Connecticut, and measures are in progress for another in Indiana. The nine State societies previously in existence, have continued in energetic and successful action. That of Vermont has paid to the American Society during the year, double the amount of its pledge at the last anniversary. That of Massachusetts has exceeded, its munificent pledge of $10,000; and that of New York has commenced and is successfully prosecuting a plan for establishing a select Anti-Slavery library in every school district in the State. The Societies of Maine, New Hampshire, Rhode Island, Connecticut, New York and Ohio, support each a newspaper of its own, devoted to the common cause. That of Pennsylvania supports two; one on each side of the mountains.* The number of important conventions, embracing numerous delegates from States, has been much larger than in any former year.

Although the unprecedented commercial embarrassments of the country have cut off or greatly diminished many of the sources from which the society has hitherto derived its funds, it will be seen from the reports of the Treasurer and publishing agent, that the receipts during the year have been $44,000, being an increase over the receipts of last year of $5,000. Those who have examined the detailed acknowledgments in the Emancipator, will have perceived that a much larger proportion of the donations than in former years consists of small sums contributed among the mass of the people—a fact which clearly indicates the solid advancement of our cause.

The issues from the press during the year have been as follows,—

	Copies.
Human Rights,	187,316
Emancipator,	193,800
Circulars & Prints,	43,100
Bound Volumes,	12,954
Tracts & Pamphlets,	72,732
Slaves' Friend,	97,600
Anti-Slavery Record,	40,000
Total,	546,502

Of those publications the Committee cannot forbear to characterize two as marking an era in the Anti-Slavery cause. The work on emancipation in the West Indies, the joint production of Rev. James A. Thome of Kentucky, and the late Joseph Horace Kimball, Esq., of New Hampshire, (over whose grave the friends of humanity have good cause to weep,) leaves nothing to be wished for in the way of testimony and experience in favor of the safety and profitableness of *immediate emancipation*, and its superiority on all points of expediency over any *gradual* method, in any possible condition of the slave. We have too much confidence in the candor of our countrymen at large to believe, that they can withstand such statements of fact, or withhold their cooperation from an enterprise which is borne out by the now settled results of sufficiently large and varied experiments, while it is opposed only by unsubstantial hypothesis or the fantastic products of the imagination.

The other work to which we allude is an essay on "The Power of Congress over Slavery in the District of Columbia," first published in the form of letters under the signature of *Wythe*, in the N. Y. Evening Post. The writer of this essay, bringing the light of history in a focal blaze upon his question, has not only shown that Congress has power under the constitution to abolish slavery in the District, and annihilated the position of Mr. Van Buren and Mr. Clay, that this power cannot be exercised consistently with *implied good faith* towards the states that ceded the District; but has demonstrated that implied good faith required of the states themselves that slavery should long since have been abolitshed within their own limits.

Another publication of much interest is the narrative of James Williams, a fugitive from slavery in Alabama, giving a view of the interior of southern institutions. It is sufficient to say that no pains were spared to apply to the veracity of the narrator every test that the circumstances of the case admitted, and a large number of gentlemen were well satisfied that there could be no imposition in the story without attributing to its author such powers of mind, as few men, either white or black, could justly lay claim to. It was published in connection with abundant facts showing its statements to be at least within the bounds of probability. So far as any contradiction has yet been made at the South, it is of a nature to confirm rather than shake belief.

The Committee have taken measures which they hope will result in placing these works in the hands of all our fellow-citizens throughout the land.

There have been in the service of the Society during the last year 38 travelling agents, the aggregate of whose time in the employment of the Society has been 27 years.

Three of these agents, as heretofore, have devoted themselves to the interests of our free colored brethren. This labor and expense have been paid a thousand fold, by the laudable, and to some extent successful efforts of our colored brethren, to conquer by good conduct the prejudice that has so cruelly oppressed them. In Ohio they are in large numbers purchasing new land, applying themselves to the clearing and cultivation of the soil. Encouraging progress has also been made in that State toward the abolition of the iniquitous laws under which they live. The agent who has labored east of the mountains, has published a valuable collection of facts and arguments in regard to the disabilities of colored men, which cannot fail to aid in the restoration of their rights. We might easily submit proofs, that temperance, industry, and education, are doing their proper work among our colored friends. A still stronger indication that they will soon look out of countenance the supercilious pride of color, is the fact that a weekly newspaper, The Colored American, established, supported, and edited altogether by themselves, can challenge comparison, both in moral and literary point of view, with newspapers of the highest class among us.

Aware of the importance of meeting the call for information from the lips of the living lecturer, and that not one of a hundred, or perhaps thousand, of such calls could be answered by the travelling lecturers, who were or could be employed, the committee has resorted to the employment of local agents. These are professional and other gentlemen, well qualified to lecture, who make short excursions in their own vicinity, as their other engagements will permit, the committee furnishing them gratuitously the Society's publications, and paying their expenses incurred in the Society. About seventy-five individuals have accepted this office, and the amount of labor performed has been incalculably great, at a very moderate expense to the Society.

*The Liberator, which was last year under the patronage of the Massachusetts Society, commenced its eight volume as an independent establishment.

In pursuance of the resolutions of the Society, at its last annual meeting, the committee has turned much of its attention to the subject of petitioning Congress and the State Legislatures and it is with unfeigned thanks to God, that we refer to the noble response of our fellow-citizens. Petitions for the abolition of slavery in the District of Columbia and in the territories, and of the slave-trade between the States, have been poured into Congress beyond any precedent. And since, by the resolution of the House of Representatives of December 21, 1837, all such petitions have been laid upon the table, "without being debated, printed, read, or referred," remonstrances have been forwarded to that branch against this violation of the constitutional right of petition. Petitions and remonstrances have been addressed to Congress, from all parts of the North, against the annexation to the United States, of the slave-holding republic of Texas, or any new slave-holding State. The committee has been able to ascertain the number of petitioners on these very subjects only in the House of Representatives, the clerk of the Senate having refused their agent permission to enumerate those who addressed that body. The petitioners to the House of Representatives, from the commencement of the extra session to the 1st of May, were as follows:

	Men.	Women.	Total.
For abolition in the District,	51,377	78,882	130,188
Against annexation of Texas,	104,973	77,419	182,392
Rescinding the gag resolution,	21,015	10,821	31,836
Against admitting any new slave State	11,770	10,391	22,161
For abolition of the slave trade between the States,	11,864	11,541	23,405
For abolition of slavery in the Territories,	9,120	12,083	21,212
At the extra session for rescinding the gag resolutions of Jan. 21, 1837,	3,377		3,277
Total,	213,394	201,077	414,471

The number in the Senate is estimated to have been about two-thirds as great as that in the House.

Petitions have also been presented to the several State Legislatures of the free States, whose sessions have occurred since our last annual meeting, praying for the abolition of such laws as make distinctions among citizens on account of color, for the extension of the right of trial by jury to persons claimed as fugitive slaves, and for resolutions on the subject of the annexation of Texas—the right of petition, slavery in the District of Columbia, &c. The State action thus called forth, has been, in a high degree, cheering. Vermont and Massachusetts have, with scarcely any reservation, responded favorably to the prayers of their petitioners, and taken decidedly abolition ground. Favorable action has also been had in one, if not both branches of the Legislatures of Maine, Rhode Island, New York, Ohio, and Michigan, on the questions of Texas and the right of petition.

The present occasion does not afford time to give even an index of the important events bearing on the cause of the slave, that have occurred during the last year. A multitude of religious bodies at the North, have thoroughly taken the side of the slave, and those national organizations which have so long endeavored to sanctify the plunder of the poor by bringing it into the household of Christ, are convulsed, Governors and legislatures, who, two or three years ago, talked of prosecuting abolitionists at common law, or suppressing their sentiments by penal enactments, have exchanged menace for courtesy, and even granted the use of their halls for public abolition lectures. The voice of genuine abolitionism has been heard on the floor of both houses of Congress, and disgraceful as are the unconstitutional measures by which the slaveholders have sought to drown it, they have proved that it will yet be heard effectually.—Since the insurrectionary meeting in the capitol, of Dec. 20th, and the presentation of the extraordinary resolutions of Mr. Calhoun in the Senate, there can be no doubt, with any man of sufficient reflection, that the South, under the impulse of a regenerated public sentiment at the North, will sooner arrive at a general abolition of slavery, than at a dissolution of the Union. The great southern scheme of bringing into the Union an immense territory, to be cut up into slaveholding States, whereby to invigorate the slave system, and give it the permanent control of our republic, checked by northern remonstrance, has fallen back upon diplomatic craft. The enterprise is henceforth to be carried by sapping and not by storm. The attitude assumed by our Executive towards Mexico, imposing upon her, as a condition of peace with us, the immediate adjustment of a description of claims which, against her sister republics, are not enforced, and passing over in silence the enormous grievances of which she has to complain, in the invasion and dismemberment of her territory by our citizens, indicates a determination to achieve the favorite enterprise of the South, at whatever sacrifice of the interests of liberty and the honor of the nation. Four judicial decisions, given during the year, are important in themselves, and as signs of the times. The Supreme Court of Connecticut has adopted the doctrine of Massachusetts, that a slave, brought by his master's consent, becomes free on reaching her soil. The Supreme Court of Ohio has pronounced color no presumption of slavery in that State. The District Court of the United States has laid down the opposite doctrine in New Jersey. The Supreme Court of Pennsylvaina has vied with the (so called) Reform Convention, in stripping the colored tax-payers of Pennsylvania, of the right of suffrage, now peaceably enjoyed for forty-seven years. Here is the foulest prejudice that ever trampled on reason, to see which we should have the credit of tearing the principles of Franklin from the charter of his adopted State!—This year has taught America a lesson in regard to the incompatibility of law and slavery, which she must profit by or perish. Slavery has demanded the sacrifice of one of the purest and most irreproachable presses in the country, and a northern community has been found that relaxed the arm of law, and permitted the savage executioners of this man to pursue their victim openly with the instruments of death—to destroy press after press—and, at last, to deliberately shoot the heroic editor through the heart. Yes, while sworn murderers were watching for the noble-hearted Lovejoy, at the corners of the streets, there were men of high character—ministers of law, both human and divine—men pledged by eternal sanctions to protect every citizen in the exercise of his rights, who volunteered as confessors, and pointing to the pistols and "bowie knives" of the mob, bid him bow the knee to slavery, and surrender his American liberty! In his fall, his doctrine rose. He has done more in his death than he could have done in his life, and the day seems not far distant when his murderers will garnish and honor his sepulchre.

Full as is the South of "threatening and slaughter," against the friends of emancipation, her conscience and reason are at work. She begins to foresee the day when the circumambient sentiment of the world will take away the gains of her cruel system, and when expediency will join with conscience for its abolition. "Let our FEARS," said Mr. Jenkins, in his place in the legislature of Mississippi, "be as great as they may; let our abhorrence of their hellish doctrines be as strong as imagination can conceive, let us SUPPRESS OUR FEARS; let us not afford them (the abolitionists) the triumph of *knowing* that we consider that they have any probability of success—let our course be one of silence and determination. Sir, let us not notice the visionary projects of these enthusiasts of the North, or at least, *not appear to notice them!*"*

True abolition fires are kindling up in that Switzerland of America, the mountains of eastern Tennessee. Kentucky, strongly as she is compelled by her sister slave states to anathematize the abolitionists, can no longer conceal her dissatisfaction with slavery.

Abroad, the most cheering events have taken place. Montserrat, one of the British colonies, has resolved to exchange the modified slavery of apprenticeship for the entire abolition which has succeeded so happily in Antigua and Bermuda, Barbadoes, with its 90,000 apprentices, is debating the question whether it shall follow in the same course. France, with her 260,000 colonial slaves, is addressing herself to pursue the track of England—her colored slaveholders, who hold about one-eighth part of her slaves, having spontaneously offered to free them, and petitioned for a general abolition. England herself, from the mightiest minds of her parliament to the operatives of her workshops, is rousing her energies to retrieve the errors of her immortal Act of 1834. She is now convinced of the folly of all *preparations* for the enjoyment of inalienable rights. She knows now to a certainty, that there are no human hands in which a *whip* can be placed that shall do the work of *wages*. Hayti has at length obtained from France a full recognition of the freedom, sovereignty, and independence which she has actually possessed for the last thirty-four years. Our wicked prejudice must now furnish the only shadow of a reason for refusing to establish with her those international relations which interest and justice alike demand.

In view of these developements of the struggle which is going on so victoriously for truth against oppression—the committee recommend the more thorough, systematic, and permanent diffusion of Anti-Slavery publications; the extension of our organization by societies and conventions; *the right use of suffrage*; perseverance in *petitioning*, adding to the prayers which we must not cease to offer till they are granted, one for the *recognition of Haytian Independence*; and, last but not least, offering the fraternal hand of fellowship and assistance to our colored brethren in their struggle for the full standing of *men*, and *American citizens.*

In the prosecution of such an object by such means—of human liberty by truth and brotherly love—we can never tire nor doubt of success. Our victory is no less sure than the laws of seed-time and harvest; and though tears may mingle with the seed which is now scattered amidst the frosts and snows of retiring winter, the sheaves shall yet be brought home with shouts of unmingled joy, in the sunshine of unclouded peace.

The acceptance and publication of the Report was moved by William Lloyd Garrison, of Boston, Mass., and seconded by R. P. G. Wright, of Schenectady, N. Y. the venerable father of the Rev. Theodore S. Wright, of New York city.

* *Natchez Courier*, Feb. 9, 1838.

On motion of James G. Birney, Esq. one of the Corresponding Secretaries of the Society;

Resolved, That our grateful acknowledgments are due to Almighty God for His smiles upon the anti-slavery cause the past year, and that we devoutly commend to Him the enslaved, with increased confidence in the speedy accomplishment of His promise that the rod of the oppressors shall be broken, and the oppressed go free.

On motion of Edmund Quincy, Esq. of Boston, Mass. seconded by the Hon. Peleg Sprague, of Mass.

Resolved, That the doctrines of civil and religious liberty which our Puritan ancestors transplanted to these shores, which were fostered and defended by our revolutionary fathers, are identical with those principles of freedom, the blessings of which it is the object of the anti-slavery enterprise to extend and secure to all our countrymen.

On motion of James McCune Smith, M. D. of the city of New York, a native of this city, and a graduate of the University of Glasgow, in Scotland.

Resolved, That we contemplate with heartfelt satisfaction, the noble efforts that are making by the abolitionists in Great Britain and France for the total cessation of slavery, and its concomitant the *slave trade*, and pledge to them our co-operation until, by the blessing of God, both these cruel customs shall wholly cease.

On motion of Gerrit Smith, of Peterboro, N. Y.

Resolved, That a just and kind treatment of the colored people of the free states would contribute greatly to the termination of American slavery.

On motion of Alvin Stewart, Esq. of Utica, N. Y.

Resolved, That the Congress of the United States in laying the petitions of hundreds of thousands of petitioners on the subject of slavery, upon the table, "without debate, reading, reference, or printing, and with no farther action whatever thereon," has been guilty of an alarming violation of the Federal Constitution.

Notices were read, among which was, by request, the notice of the New York Colonization Society meeting.

The audience united in singing the verse

From all that dwell &c.

The Benediction was pronounced by Rev. Theodore S. Wright, of this city; and the vast congregation, the most of whom had remained riveted in solemn and deep attention for nearly five hours, slowly retired.

In our next, we shall give a sketch of the able speeches delivered, with the letters which were read from President Beecher, Dr. F. Julius Lemoyne, Hon. John Quincy Adams, and Hon. F. H. Elmore, of S. C.

Governor Everett.

We insert, below, the letter of this gentleman to our esteemed fellow-citizens Edmund Quincy, expressing his conviction that the result of the experiment of immediate emancipation, as contrasted with the apprenticeship system, in some of the West-India islands, has 'sealed the fate of slavery throughout the civilized world'—and confessing that it had given him 'new views of the practicability of emancipation.' The Governor seems disposed to make some atonement for what he has said and done on the subject of slavery and abolition, in by-gone days, and we trust he will continue in well-doing. We will merely add, that the 58th chapter of Isaiah settled the duty, the practicability, the safety, and the glorious consequences of immediately breaking every yoke and letting the oppressed go free, long before Messrs. Thome and Kimball were born.—*Liberator.*

[*From the Boston Daily Advertiser.*]

Letter of Governor Everett.

The annexed letter from Governor Everett, to Edmund Quincy of this city, on the subject of Messrs. Thome & Kimball's work, though not intended, when written, for publication, is appended by his Excellency's permission.

Boston, 26th April, 1838.

Dear Sir,—I have your favor of the 21st, accompanied with the volume containing the account of the tour of Messrs. Thome & Kimball in the West Indies, for which you will be pleased to accept my thanks. I have perused this highly interesting narrative with the greatest satisfaction. From the moment of the passage of the law, making provision for the immediate or prospective abolition of slavery in the British colonial possessions, I have looked with the deepest solicitude for tidings of its operation. The success of the measure, as it seemed to me, would afford a better hope than had before existed, that a like blessing might be enjoyed by those portions of the United States, where slavery prevails. The only ground, on which I had been accustomed to hear the continuance of slavery defended at the South, was that of Necessity, and the impossibility of abolishing it, without producing consequences of the most disastrous character to both parties. The passage of a law providing for the emancipation of nearly a million of slaves in the British Colonies, seemed to afford full opportunity of bringing this momentous question to the decisive test of experience. If the result proved satisfactory, I have never doubted that it would seal the fate of slavery throughout the civilized world. As far as the observations of Messrs. Thome & Kimball extended, the result is of the most gratifying character. It appears to place beyond a doubt that the experiment of immediate emancipation, adopted by the colonial legislature of Antigua, has fully succeeded in that Island; and the plan of apprenticeship in other portions of the West Indies, as well as could have been expected from the obvious inherent vices of that measure. It has given me new views of the practicability of emancipation. It has been effected in Antigua, as appears by unquestionable authorities contained in the work of Messrs. Thome & Kimball, not merely without danger to the master, but without any sacrifice of his interest. I cannot but think that the information collected in the volume will have a powerful effect on public opinion, not only in the Northern States but in the slaveholding States.

I see repeated references in this volume to the mission of Messrs. Sturge & Harvey. I am not aware that any publication has been made by those gentlemen. If the fact is otherwise, and you have the volume in your possession, you would greatly oblige me by the loan of it for a few days.

I am, Dear Sir, with much regard,
Your friend and servant,
EDWARD EVERETT.

Edmund Quincy, Esq.

SUMMARY.

Latest From Texas.

The schr. Henry, Capt. Long, arrived yesterday evening, from Galveston, whence she sailed on the 3d inst. The Henry was 36 hours in running from Galveston to the bar.

By this arrival we have a copy of the Houston Telegraph of the 28th ult.

The bill authorizing the President to negociate a loan of five millions of dollars passed its second reading in the Senate on the 25th ult., and was engrossed for a first reading.

On the 23d a preamble and resolution were presented in the House by Mr. Jones of Brazoria, similar to that presented to the Senate by Mr. Everitt, proposing to withdraw the petition for annexation. The resolution passed a first reading.

We have no proceedings of the House later than the 23d.

A company of one hundred Camanches recently came to Bastrop with a great quantity of peltries, and appeared rejoiced at the thoughts of opening a trade with the Texians.

From every thing we could see in a hurried glance over the Telegraph, we conclude that our neighbors are getting along bravely. The passage of the loan bill will cause Texas money to spring up like a grasshopper.—*N. O. Pic.*

Another Steamboat Explosion.

The steamboat Yazoo, from Mobile for this port via the river, burst one of her boilers on Monday morning the 7th inst., while off Breton Island. A passenger, named Keeler, who was formerly 1st Engineer of the steamboat Roanoke, was killed. No other person injured.

The Yazoo was afterwards towed into the N. E. Pass by the steamboat Columbus, from Mobile, The Columbus arrived at the city yesterday evening, bringing the corpse of Mr. Keeler.—*N. O. Pic.*

A Decided Move.—Near two hundred voters of Hardin co., *Ky.*, have published a pledge that they will vote for no candidate who treats at elections, or suffers others to do it for him, directly or indirectly. A little more of such nerve would soon make election treats unfashionable.

NOTICES.

☞ CHARLES OLCOTT, Esq. of Medina, Ohio, one of the most devoted and talented abolitionists in the state, has recently published a course of lectures, which are spoken of in terms of praise by those who have seen them. Mr. Olcott will attend the Granville Convention, and will probably have a few copies with him. We commend his work to the brethren.

A. MILES.

A CARD.

I purpose (Providence permitting) to attend the Granville Convention on the 30th. Those of my friends who have signified their wish, and others who may desire, to become Agents for the sale of *Miles' Compound Extract of Tomato*, can have the business attended to, and be supplied with the Medicine, by sending or applying to me at that time

A. MILES,
One of the Proprietors and Gen'l. Agent.
Cincinnati, May 15th, 1838.

NEW MAP OF OHIO.

Doolittle and Munson's new and splendid Map of Ohio. This new and elegant work is now nearly ready for the public. The great amount of time, labor and expense laid out on it has made it the most beautiful and correct thing of the kind ever yet offered to the public. The size of the Map is 48 by 51 inches, being on a scale of five miles to an inch. It is taken from actual survey, having the names of all the counties, townships, towns, villages, streams, present and proposed routes of canals, rail-roads, turnpikes, principal roads, mail routes, &c., &c., together with their geological positions:—all of which are distinctly laid down.

The Subscriber will be in Granville during the Convention of the Ohio State Anti-Slavery Society, where persons attending the Convention and others, can have an opportunity of examining the work for themselves, and encouraging the same.

GEO. F. FOOT,
Ag't. for Doolittle & Munson's New Map of Ohio.

NARRATIVE OF

JAMES WILLIAMS.

The Executive Committee of the Ohio Anti-Slavery Society have just resolved to publish 6000 copies of the "Narrative of James Williams, *an American Slave*," for the purpose of meeting the anticipated demand for a cheap edition of the work, by the delegates, at the State Convention, which meets on the 30th inst. The narrative would have been ordered from New York, in preference to publishing it ourselves, had there existed any probability of receiving it in time for the convention. The opportunity of giving it a wide circulation through the state by the hands of the delegates, we wish by all means to improve. Our friends, we hope, will come to the convention prepared to purchase largely. They will be sold at $2 per hundred.

Publishing Agent.

CINCINNATI PRICE CURRENT.

Flour,	$5 50 to 6 60	per bbl.
Wheat,	80 c.	per bush.
Corn,	40 c.	" "
Oats,	37 to 43 c.	" "
Hay,	$18 to 20	per ton.
Hops,	12 to 15 c.	per lb.
Coffee, Rio,	13 1-2 to 14 1-2	per lb.
" Havanna,	12 1-2 to 15	per lb.
Tea, G. P.	80 to 85	"
" Imp.	80 to 85	"
" Y. H.	50 to 55	"
Sugar, N. O. hhd,	6 1-2 to 7 1-2	per lb.
" Loaf,	16 1-2 to 18	"
Candles, sp.	37 to 40	"
" md.	12 to 13	"
" dp.	10 1-2 to 11 1-2	"
Butter,	12 1-2 to 15	"
Cheese,	8 to 9	"
Rice,	6 1-4 to 6 1-2	"
Salt,	62 1-2 to 68 3-4	per bush.
Coal,	12 1-2 to 14	"
PORK, Clear,	$15 1-2 to 16 1-2	per bbl.
Mess,	13 1-2 to 14	"
Prime,	15 1-2 to 16 1-2	
Hams,	15 1-2 to 61 1-2	per lb.
Lard,	6 to 7	per lb.
NAILS,	6 c. to 10	per lb.

The Anniversary of the Ohio State Anti-Slavery Society.

The Annual Meeting of the Ohio State Anti-Slavery Society, will be held at Granville, Licking county, May 30th, 1838; commencing at 10 o'clock, A. M.

The friends of the Anti-Slavery cause every where are invited to attend.

By order of the Executive Committee,
G. Bailey, *Secretary.*

☞ *Editors of newspapers, in Ohio particularly, are respectfully requested to give the foregoing notice at least one insertion.*

Our Circular.

Some time ago we sent out the following circular to the Anti-Slavery Society in the State.

Cincinnati, January 1838.

Dear Sir,

As it is highly desirable that we should be able to prepare a full and satisfactory Report of the number and condition of ANTI-SLAVERY SOCIETIES throughout the *State of Ohio*, we wish you to furnish us with immediate information on the following points:

1. *When* was your Society formed?
2. What is the *number of its members?*
3. How many of this number are *males*, and how many *females*?
4. What has been the *increase* since its formation?
5. What are the *names* and *places of residence* of the President, Secretary, and Treasurer?
6. *How many* and *what* Anti-Slavery newspapers are taken by it as a Society, and by its members individually?
7. What are its *prospects* and present *condition*?
8. What *Petitions* has it circulated, and *how many signers* have been procured?
9. Has any Society been formed within your knowledge, since the 1st of May last?

Please, by return mail, to answer these questions, as satisfactorily as possible.

By order of the Executive Committee
of the Ohio State A. S. S.
G. BAILEY, *Cor. Sec.*

☞ It is earnestly requested that the Secretary of every society, that has not reported, will do so immediately.

INDIANA—CALL FOR A STATE CONVENTION

The undersigned, having been appointed, by the Decatur County Anti-Slavery Society, a committee to correspond with other Anti-Slavery Societies and friends of emancipation, in reference to forming a State Anti-Slavery Society, for the state of Indiana, beg leave respectfully to call the attention of the friends of the cause throughout the state to the subject. It is believed that the organization of a State Society, is indispensable to the prosperity of the cause in the state, and that it would very much aid its general advancement. Experience teaches that the efforts of individuals, or of separate societies, are much cramped, and their influence exceedingly circumscribed, without the aid of an organization that will enable them to concentrate their influence, by association and uniting their counsels and efforts, for the promotion of the cause in which they may be engaged.

While many, in our sister states, are aroused, and are taking hold of the anti-slavery cause in good earnest—are investigating the subject of human rights—are exposing the sin and impolicy of slavery, before this great nation—are urging the claims of the oppressed slave upon the southern conscience—and showing that no people can enslave their fellow men, without inflicting upon themselves the deepest injury;—Indiana, through inferior to none of her sister states, in her sense of moral justice, her political acumen and integrity, or her generous feelings of philanthropy and patriotism, is yet in a great measure asleep on the subject of American slavery: no adequate means having been employed, by the friends of emancipation, to call into proper action her moral energies. But few anti-slavery prints circulate, or are read any where in the state; but few public lectures have been given on the subject. The people want, and must have light. We need able and efficient public lectures, whose business it shall be to call the attention of the community to the subject of slavery—to set forth the sentiments of anti-slavery men, and explain the nature and tendency of their measures in such way, as, if possible, to remove from the public mind that undue and hurtful prejudice which it is the lot of the friends of immediate emancipation to encounter, every where in the free states, on account of the slaveholding influence; to show the adaptation of the means employed to secure the objects intended, namely—the peaceable emancipation and moral elevation of the enslaved in our country, and also to secure thereby the best interests, both of their masters and the whole community. We need to have the publications of the American Anti-Slavery Society, and other anti-slavery prints, widely circulated, and generally read, in order that the people may be brought to feel a lively interest in the subject; and in order that they may examine our weapons, which, indeed, are not carnal, but we trust mighty through God to the pulling down of the strong holds of slavery, in our beloved country. And it is not to be expected that any of those objects, so desirable, and so indispensable, can ever be so fully, if at all accomplished, without the aid of a State society. We would, therefore, in discharge of the duty enjoined upon us, beg leave to submit to the consideration of the friends of the cause in Indiana the following

Proposal.

1st. That measures be taken by Anti-Slavery Societies and friends of the cause throughout the state, to obtain and forward to the editor of the Philanthropist, against the 30th day of June next, the names of such citizens as wish a Convention to be called, in order to form a society for the state; and that the editor be requested to publish the names or number of all such people the 15th day of June next; and if it shall appear, from the call, that the friends of the cause are desirous to form a State Society; then,

2d. The Convention, composed, if possible, of all who call for it, and all others who are like minded, shall meet at ———, on ———, the ——day of ———, 1838, at — o'clock, in order to form the Indiana State Anti-Slavery Society.

Samuel Donnell, sen. } *Committee.*
James M'Coy.

POETRY.

From the Cincinnati Daily Gazette.

Sabbath Among the Hills.

"Slow, now, along the plain
Creeps the cool shade, and on the meadow's edge
The kine are forth again,
The bird flits in the hedge;
Now in the molten west sinks the hot sun—
Welcome, mild Eve! the sultry day is done."
[Gallagher.

I.

'Twas Sabbath—and the evening sun did shine
Upon the city's spires, warm and clear,
The joyous laugh of children, and the chime
Of distant bells, broke sweetly on the ear—
Hushed was man's busy tumult far and near.

II.

Beside an open casement long I leant,
Where the warm wind was breathing round my brow:
Its freshness then with gentle fragrance blent,
Brought to my heart soft feelings, such as now
With happiness my saddened thoughts endow.

III.

And list'ning, long and low, I oft could hear
The swell of solemn music steal along,
That on the subtle caverns of the ear
Broke, as soft echo of some fairy song,
Or murmuring stream the old gray rocks among.

IV.

A weariness stole o'er me, and I left,
With wandering steps to tread the distant hills,
Where nature in her sabbath stillness slept,
Hushed by the voice of birds and gurgling rills,
A voice the heart with solemn sadness fills.

V.

The city lay beneath me—roof and spire
Clothed in light radiance, by the setting sun;
The far off river gleamed with silvery fire,
As winding onward to the west it run,
Greeting the God-day ere his race be run.

VI.

Onward I went thro' woods, in musing lost,
Watching each light bird as it flitted by,
To where an oak its giant branches tost,
In bold relief athwart the summer sky,
Startling with wild magnificence the observing eye.

VII.

And there I sat me down in mood to muse
On Time's deep flowing, ever changing stream:
While in the glowing west the crimson hues
Of clouds and sunset, formed a fairy scene,
Above the city's spires, e'en then but faintly seen.

VIII.

Had that decaying oak but tongue to tell,
(As it hath years, that now its glory dims,)
Of other days, when the lone Indian's yell
Its echoes waked, or the wild forest hymns
Were heard beneath its shade, or high o'er-arching limbs;

IX.

When midst these hills the morning sun awoke
The voice of nature, heard in solitude,
Unbroken save when solitary smoke
Rose curling high above the umbrageous wood,
From Indian's lowly hut, there hid all lone and rude;

X.

What were its tale!—but I must haste away;
A shade comes o'er the skies of azure blue,
A shade fast deepening into colder gray,
Chased from the darkening west eve's golden hue,
And fields and flowers are fresh with evening dew.

EMELIA.

MISCELLANEOUS.

The Rev. Thomas Chalmers, D. D.

PROFESSOR OF DIVINITY IN THE UNIVERSITY OF EDINBURGH.

"A warrior in the Christian field,
Who never saw the sword he could not wield."
Cowper.

This celebrated ornament of the church and of letters, is a native of the county of Fife, Scotland, where his ancestors have long been distinguished and respected as substantial agriculturalists. After receiving a grammatical education in the country, he removed to the college in Edinburgh, where he was marked as a diligent student, but did not evince any extraordinary vigor of intellect. Though destined for the ministerial office, he rather preferred the lectures of Professor Robinson, who filled the mathematical chair, to those of Dr. Hunter who presided over the divinity class. Mr. Chalmers, however, did not neglect the peculiar studies more immediately requisite to qualify him for the important and varied duties of the pastoral care. In due course he was licensed as a probationary preacher, and after serving a short time as an assistant, he obtained a presentation to the living Kilmany, over which cure he was regularly placed in 1802. This is a considerable port town on the northern shore of the Frith of Forth; which from its situation, afforded ample scope for ministerial diligence. Mr. Chalmers spent some years here, without attracting any particular notice beyond the bounds of his parish, or producing any visible reformation in it upon the principles and manners of the people. His studies in fact were more directed to political economy than to practical theology, as his first literary performance evinced. It will seem extraordinary to most persons, that a man of learning, regularly educated for the ministry, and holding a benefice in such a country as Scotland, should have the spirit of religion to acquire, after exercising the teacher's office in a large parish for some years. The case, however, though truly lamentable, is by no means singular. During a course of study on several branches of theology, connected with certain articles which he had engaged to write for an Encyclopædia, projected by Dr. Brewster, he began to suspect the correctness of his former views of the Christian religion. In following up this doubt, he soon discovered the reason why his preaching against vice had been so inefficacious. At Kilmany he labored for more than twelve years, and after his removal to Glasgow, where he had been invited to take charge of the Zion's church, he published an account of the great change that occurred in his ministerial conduct while among them. After ministering at the Zion church about three years, Dr. Chalmers was transferred to the more extensive charge of St. John's parish, in Glasgow, where he continued to labor with the most beneficial effect for several years, until he accepted the chair of moral philosophy in the University of St. Andrew's, from whence he was removed in 1828, to the professorship of divinity at Edinburgh.

The popularity of this eminent divine is not an ephemeral admiration, gained by the art of an insinuating address, or the glare of a specious eloquence. His appearance in the pulpit is rather repulsive than inviting. The inflexibility of his features—his small pale eyes nearly half closed—his tone, at the commencement, low, and almost drawling—his utterance, naturally rough, made much more so by his broad Scotch accent—his gesture, though earnest, not remarkably expressive—his action, often inelegant and inappropriate, may almost prejudice a stranger against him. But he must be a very superficial observer, a very careless and insensible hearer, whose attention is not soon arrested and fixed. The eye kindling into unusual brilliancy—the countenance beaming with intelligence—the whole man laboring to give utterance to mighty conceptions, all force the hearer to confess the preacher's power, and to feel that he is in the presence of a master-spirit of the age.

The *forte* of Dr. Chalmers is generally thought to be in his mighty power for illustrating the external and internal evidences of Christianity, and the identity of the whole system with the principles of sound philosophy. From the pulpit and through the press, he has proved most clearly and triumphantly, that all which is sound and true in philosophy, leads to religion; and all which has a contrary tendency is, by the showing of philosophy herself, false and hollow.

We will close this sketch by an article from the "Church of Ireland Magazine," in which Dr. Chalmers and Robert Hall are placed in juxtaposition, written, it has been thought, by the present bishop of Calcutta.

"To compare Mr. Hall with another splendid genius of our age, Dr. Chalmers, is a difficult, and perhaps an invidious task. They are both highly gifted and most powerful men, raised up and qualified for great service to the church of Christ; but they are very different in their style and character of mind. As to the use of the English language and purity of composition, Mr. Hall, the most elegant writer of his day, stands confessedly vastly superior to Dr. Chalmers, whose corruptions, neglects, inventions, and bad taste, make his finest discourses at times unintelligible. But this is an introductory and very inferior point. As to power of mind, I should think Dr. Chalmers the more daring and vigorous, and Mr. Hall the more delicate and acute reasoner. Dr. Chalmers is bold; Mr. Hall beautiful. Dr. Chalmers seizes one idea, which he expands by amplification and reiteration through a discourse; Mr. Hall combines and works up a variety of arguments in support of his topic; never loses sight of his point; touches every subject briefly, and with exquisite taste; and leaves an impression upon the mind more soft, more pleasing; and perhaps not less powerful than his great contemporary. Dr. Chalmers gives only one or two projecting truths, and leaves his subject confessedly incomplete; his sermons are composed of many separate thoughts, slightly linked to one another; and like the reaches in the majestic course of the Rhine, which succeed each other by breaks, and expand upon the eye with extraordinary beauty when you enter them, but are succeeded by a narrow flow of the stream at each interval; his sermons are a succession of bold and magnificent truths wrought out with strength, and then left by the preacher, that he may press on to the next mighty idea. Mr. Hall's sermons are a beautiful whole; less daring in the general parts, but more closely connected; coming on the mind with greater conviction, and expanding his one important subject at once before the view, as the wide and fair lakes of Switzerland spread their varied, and complete, and connected beauties before the eye of the spectator. Dr. Chalmers, in short, is more impassioned; Mr. Hall more sublime: the one declaims, the other argues; the first storms the mind, the second charms it and unfolds all its sympathy. Dr. Chalmers is adopted for the popular; his bold and reiterated statements, his overwhelming tide of words, his projecting and striking imagery, his small number of distinct thoughts enforced in various different forms, all make him the preacher for the crowded popular auditory. Mr. Hall is the preacher for the scholar, the student, the metaphysician, the man of elegant education, the fastidious proud despiser of spiritual religion, the pretender to a philosophy not thoroughly fathomed. His master-mind, his acute insight into the very inmost soul, his candor towards his opponents, his infinite reverence for Holy Scripture, his cautious conclusive argumentation, his delicate and sublime bursts of imagery, his superiority to party feelings and interests, ensure the attention and fix the conviction of every competent and unprejudiced hearer.

"As to usefulness, the palm must be conceded, for the present age, to Dr. Chalmers; he is more capable of frequent effort, more ready to commit his unfinished compositions to the press, more negligent of the minuter graces which fetter Mr. Hall, and limit his efforts, and have left him, after fifty years of public life, the author of far fewer works, and those works of less extent and less general importance, than Dr. Chalmers has produced in one fourth portion of that time.

In *the next* age, it is possible Mr. Hall's publications may fetch up the way he appears to have lost in the present. All his practical writings will live, and exercise a powerful sway over the public mind, when many of Dr. Chalmers' may have done their work and been forgotten. Had Mr. Hall more of the bold and intrepid character of Dr. Chalmers; would he write with less anxiety and refinement; would he devote himself to the prosecution of some great national topic, touching the interests of morals and religion; would he disregard more his own feelings, in order to do good in a transitory world, there is nothing which he might not be capable of effecting, under God's blessing; for no man of the present age has gained the ear, and fixed the love and admiration of his countrymen more than Robert Hall."—*The British Pulpit.*

THE SUPREME COURT AT WASHINGTON.—At some moments this court presents a singular spectacle. I have watched the assemblage while the Chief Justice (Marshall) was delivering a judgment—the three Judges on either hand gazing more like learners than associates. Webster standing firm as a rock; his large deep-set eyes wide awake, his lips compressed, and his countenance in that intense stillness which instantly fixes the eye of the stranger. Clay, leaning against the desk, in an attitude whose grace contrasts strangely with the slovenly make of his dress; his snuff-box for the moment unopened in his hand; his small gray eye and placid half smile conveying an expression of pleasure, which redeems his face from its usual unaccountable commonness. The Attorney General, with his fingers playing among his papers, his quick eye and thin tremulous lips for once fixed; his small face, pale with thought, contrasting remarkably with the other two. These men, absorbed in what they are listening to, thinking neither of themselves nor of each other, while they are watched by the groups of idlers and listeners around them. The newspaper corps, the dark Cherokee chiefs, the stragglers from the far west, the gay ladies in their waving plumes, and the members of either house that have stepped in to listen. All these have I seen at one moment, constitute one silent assemblage, while the mild voice of the aged Chief Justice sounded through the court.—*Miss Martineau.*

DEATH OF INFANTS.—Tell us if Christianity does not throw a pleasing radiance around an infant's tomb? And should any parent who hears us feel softened by the remembrance of the light that twinkled a few short months under his roof, and at the end of its little period expired, we cannot think that we venture too far, when we say that he has only to persevere in the faith, and in the following of the gospel, and that very light will again shine upon him in heaven. The blossom that withereth here upon its stalk has been transplanted there to a place of endurance; and it will then gladden that eye which now weeps out the agony of affection which has been sorely wounded; and, in the name of Him, who, if on earth, would have wept along with them, do we bid all believers present, to sorrow not even as others which have no hope, but to take comfort in the hope of that country where there is no sorrow and no separation.

O, when a mother meets on high,
The babe she lost in infancy,
Hath she not then for pains and fears—
The day of wo, the watchful night—
For all her sorrows, all her tears—
An ever-payment of delight?

Chalmer's Lectures on the Romans.

Last Hours of Sir Walter Scott.

Still in his ashes lived the wonted fires. Two novels, (which Lockhart hopes will never see the light) had been written in Naples, and the "last glimpse of daylight" in what remained of the great novelist's life at Abbotsford was one final effort at the desk!

"After breakfast, on Tuesday, the 17th, he appeared revived somewhat, and was again wheeled about on the turf. Presently he fell asleep in the chair, and after dozing for perhaps half an hour, started awake, and, shaking the plaids we had put about him from off his shoulders, said, 'This is sad idleness. I shall forget what I have been thinking of, if I don't set it down now. Take me into my own room, and fetch the keys of my desk.' He repeated this so earnestly that we could not refuse; his daughters went into his study, opened his writing-desk, and laid papers and pens in the usual order, and I then moved him through the hall and into the spot where he had always been accustomed to work. When the chair was placed at the desk, and he found himself in his old position, he smiled and thanked us, and said, 'Now give me my pen and leave me a little to myself.' Sophia put the pen into his hand, and he endeavored to close his fingers upon it, but they refused their office—it dropped on the paper. He sank back among his pillows, silent tears rolling down his cheeks; but composing himself by and by, motioned me to wheel him out of doors again. Laidlaw met us at the door, and took his turn of the chair. Sir Walter, after a little while, again dropt into slumber. When he was awaking, Laidlaw said to me, 'Sir Walter has had a little repose.' 'No Willie,' said he, 'no more repose for Sir Walter, but in the grave.' The tears again rushed from his eyes. 'Friends,' said he, 'don't let me expose myself—get me to bed—that's the only place.'

"With this scene ended our glimpse of daylight. Sir Walter never, I think, left his room afterwards, and hardly his bed, except for an hour or two in the middle of the day; and after another week he was unable even for this.

"The death—

"As I was dressing on the morning of Monday, the 17th of September, Nicolsome came into my room, and told me that his master had awoke in a state of composure and consciousness, and wished to see me immediately. I found him entirely to himself, though in the last extreme of feebleness. His eye was clear and calm—every trace of the wild fire of delirium extinguished; 'Lockhart,' he said, 'I may have but a minute to speak to you.—My dear, be a good man—be virtuous—be religious—be a good man. Nothing else will give you any comfort when you come to lie here.'—He paused, and I said, 'shall I send for Sophia and Anne?' 'No,' said he, 'don't disturb them. Poor souls! I know they were up all night—God bless you all.' With this he sunk into a very tranquil sleep, and, indeed, he scarcely afterwards gave any sign of consciousness, except for an instant on the arrival of his son. They, on learning that the scene was about to close, obtained a new leave of absence from their posts, and both reached Abbotsford on the 19th. About half past one p. m. on the 21st of September, Sir Walter breathed his last, in the presence of all his children. It was a beautiful day, so warm that every window was wide open, and so perfectly still, that the sound of all others most delicious to his ear, the gentle ripple of the Tweed over its pebbles, was distinctly audible as we knelt around the bed, and his eldest son kissed and closed his eyes."

"The funeral—

"The court yard and all the precincts of Abbotsford were crowded with uncovered spectators, as the procession was arranged; and as it advanced through Darnick and Melrose, and the adjacent villages, the whole population appeared at their doors in like manner, almost all in black. The train of carriages extended, I understand, over more than a mile, the yeomanry followed in great numbers on horseback, and it was late in the day ere we reached Dryburgh. Some accident, it was observed, had caused the hearse to halt for several minutes on the summit of the hill at Bemerside, exactly where a prospect of remarkable richness opens and where Sir Walter had always been accustomed to rein up his horse. The day was dark and lowering, and the wind high.

"The wide enclosure at the Abbey of Dryburgh was thronged with old and young; and when the coffin was taken from the hearse, and again laid on the shoulders of the afflicted serving-men, one deep sob burst from a thousand lips. Mr. Archdeacon Williams read the burial service of the Church of England: and thus, about half past five o'clock in the evening of Wednesday, the 26th September, 1832, the remains of Sir Walter Scott were laid by the side of his wife, in the sepulchre of his ancestors."

So fades, so languishes, grows dim, and dies,
All that the world is proud of.

Gen. Jackson.

Gen. Jackson is extremely tall and thin, with a slight stoop, betokening more weakness than naturally belongs to his years. He has a profusion of stiff gray hair, which gives to his appearance whatever there is of formidable in it. His countenance bears commonly an expression of melancholy gravity; though, when roused, the fire of passion flashes from his eyes, and his whole person then looks formidable enough. His mode of speech was slow and quiet, and his phraseology sufficiently betokens that his time had not been passed among books.

When I was at Washington albums were the fashion and the plague of the day. I scarcely ever came home but I found an album on my table, or requests for autographs, but some ladies went much further than petitioning a foreigner who might be supposed to have leisure. I have actually seen them stand at the door of the Senate Chamber, and send the door-keeper with an album, and a request to write in it, to Mr. Webster and other eminent members. I have seen them do worse; stand at the door of the Supreme Court, and send in their albums to Chief Justice Marshall, while he was on the bench hearing pleadings. The poor President (Jackson) was terribly persecuted; and to him it was a real nuisance, as he had no poetical resource but Watts' hymns. I have seen verses and stanzas of a most ominous import from Watts, written in the president's very conspicuous hand writing standing in the midst of crow-quill compliments and translucent charades which are the staple of albums. Nothing was done to repress this atrocious impertinence of the ladies.—I always declined writing more than name and date; but senators, judges and statesmen submitted to write gallant nonsense at the request of any woman who would stoop to desire it.—*Miss Martineau.*

From the New York American.

The following remarks of Mr. Stanley, in reply to an allusion of Mr. Toucey, to what he offensively called the "better days" of Mr. Adams, are very good.

"I ask," said Mr. Stanley, "what does he mean by that phrase? Does he mean the time when he had patronage and office to bestow? These are perhaps a man's better days, in the estimation of the Chairman! Or does he mean that the days when his physical powers were in the highest perfection, are gone; and that his intellectual powers also are now decayed? If so, the allusion was uncivil and unfeeling. The gentleman from Massachusetts and myself, (continued Mr. Stanley,) differ on some subjects toto cœlo; but I could not but feel indignant at hearing the Chairman speak as he did of a man whose age, whose long public services, whose vast acquirements, and boundless information, all entitle him to respect. His intellect, sir, seems to grow stronger with age. Sir, I leave the Chairman in the hands of the gentleman from Massachusetts: and as we say to culprits, in our part of the country,' *May the Lord have mercy upon him!*'"

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